

wherein they called upon him to confirm the Statutes of Oxford, pursuant to this agreement, threatening, in case of refusal, to take such measures as would not be very pleasing to him. They were in hopes that fear would oblige him to grant their demand; but to their surprize, he assumed an air of haughtiness, and called them rebels, threatening them with the severest punishments. The reason of the king's haughty behaviour was this: during his voyage to Guienne, he gained over to his party the king of the Romans and prince Edward. The last had already raised some foreign troops, under pretence of employing them against the Welsh; but indeed, with design to use them against the barons. The war, however, did not break out immediately upon his return to England. There were still some negotiations, which served only to render the breach the wider, and to give the barons time to prepare themselves. During this interval, Edward carried the war into Wales; where he did nothing considerable, for want of money to pay his troops. In this situation, not being able to disband his army, and not having wherewithal to satisfy the soldiers, he thought he might take some extraordinary method to get the money, he stood so much in need of. With this view he went to London, and without having communicated his design to any body, he led himself a company of armed men to the temple, and took out of the treasury of the Templars ten thousand pounds sterling, which the citizens had deposited there. This violent action raised loud murmurings among the parties concerned: but their complaints were to no purpose. The prince had already caused the money to be conveyed to Windsor-Castle, from whence it would be too difficult a matter to recover it. Whilst these things were transacting in England, Urban IV. who imagined by the revolution in England, that there were no hopes of procuring any more money from Henry, wrote that prince a long letter, wherein, after having upbraided him with all that the holy see had done for him, he complained of his not having performed what he had promised; and that he should seek for speedier and more effectual succours from some other prince.

The delays of the negotiation caused the earl of Leicester to convene an assembly of the barons, wherein it was unanimously resolved to maintain the Oxford Provisions by force of arms. This resolution being taken, they chose the earl of Leicester for their general, and each drew together the troops which had been already prepared during their uncertainty, as to the success of the negotiation. The foreigners, dispersed about the kingdom, were the first that felt the fatal effects of this rupture. The people were so exasperated against them, that, without distinguishing the innocent from the guilty, they persecuted all alike that could not speak good English, that alone being sufficient to render them odious. On the other hand, the earl of Leicester plundered, without mercy, the estates of the king's favourites and counsellors, and publicly declared, that he would hearken to no proposals of peace, till they were all entirely destroyed\*. As the king had no army with which he could make head against the barons, he still kept himself shut up in the Tower of London, whilst the barons became masters of Gloucester, Hereford, Bridgnorth, Worcester, and other places near the Severn. These conquests were followed with the declaration of the city

of London in their favour. The Londoners eagerly embracing the opportunity of being revenged of the king, sent him word, that they had resolved to stand by the Oxford Provisions, and to shut their gates against foreigners, in case he should think of bringing any into the city.

Although these successful beginnings gave the barons great reason to hope well of their enterprize, they were of opinion, that it would be better to address the king with a view to accommodate the matter, rather than to make use of coercive measures. Therefore, they presented to the king a petition drawn up in very respectful terms, wherein they offered to consent, that a free parliament should review the Oxford Provisions, and annul such articles as were found too prejudicial to the royal authority; but at the same time, they demanded, that the king should confirm the rest, and that the state should be governed by the natives of the kingdom, as was practised in all other countries. This petition had no effect upon the king, who, though blocked up as it were in the Tower, expected every moment that the prince his son would come and relieve him. This was what the barons feared; and therefore, to prevent the designs of Edward, they had posted themselves at Thistleworth†, through which place he must necessarily pass in order to succour the king. This precaution of the barons caused the king to alter his resolutions; and to send them word, that he would confirm the Provisions of Oxford‡. The articles of the treaty were, "1. That the castles and strong-holds should be put into the hands of the barons. 2. That the Provisions of Oxford should be inviolably observed. 3. That all foreigners, except such as should be allowed of by the unanimous consent of the barons, should be banished the realm. 4. That the administration of affairs should be committed to the king's natural subjects, approved of by the barons." The king, however, would not sign the articles, and began to store with arms and provisions the castles that were still in his power, and by that proceeding, the barons plainly perceived, that it was their business to be upon their guard. Though hostilities were not yet begun, the distrust on both sides was so great, that they looked upon one another as real enemies, each party being ready to take advantage of the other. During this state of uncertainty, prince Edward thought it necessary to convey a good store of provisions to Bristol-Castle, of which the king his father had entrusted him with the custody. To that end, he went to Bristol, and would have obliged the citizens to find him what provisions he wanted; but this demand raised a sedition among the townsmen, which forced the prince to retire into the castle, where the inhabitants resolved to besiege him, or at least to keep him so closely blocked up that he should not be able to escape, well-knowing, that for want of necessities he could not hold out long. This resolution threw Edward into great perplexity, which he got the better of by stratagem, which indeed freed him from the present danger, but soon brought him into another from whence he could not so luckily disengage himself. He desired the bishop of Worcester to come to him, telling that prelate, that he intended to adhere to the barons' sides; but desired first to talk with the king his father, to try to prevail with him to give them entire satisfaction: that

\* The storm fell most upon John Mansel and Robert Waleran, who were thought to be the king's chief advisers, not to come to an agreement. And likewise on Simon de Walton, bishop of Norwich, who with Mansel had published the pope's bull, to absolve Henry from his oath to the Oxford Provisions.

† A village about ten miles from London, where Richard, king of the Romans, and earl of Cornwall, had a palace, which was destroyed by fire.

‡ It is asserted by some historians, that the queen, who had been grossly abused by the populace of London, employed all her influence to prevent an accommodation. The abuse she is said to have met with, is thus recorded in the Annals of

Dunstable, p. 357. "The queen being afraid to remain in the Tower, while all the city was in a tumult around her, resolved to retire to Windsor. With this view she went on board a barge, intending to proceed by water; but as she approached London Bridge, she was insulted with great rudeness and brutality by the populace, who not only loaded her with the most opprobrious epithets, but even endeavoured to sink the boat and deprive her of her life, by throwing stones of an enormous weight into the vessel, as the watermen attempted to pass through one of the arches; so that she was forced to return to the Tower, from whence she was afterwards conveyed to the palace of the bishop of London, at St. Paul's, as to a place of greater safety."



not being able to perform his intent, by reason of his being thus blocked up, he intreated him to become security for him, and to accompany him to London, to be a witness of his conduct. The bishop being persuaded of the prince's sincerity, told the citizens of Bristol, that it would be for the good of the common cause to let Edward go, to which they consented, and the blockade was raised. Accordingly the prince set out, in company with the bishop, who did not at all question, but that his journey would have a good effect. But when they were come near Windsor, Edward clapping spurs to his horse, rid away from the bishop without taking leave of him, and shut himself up in the castle. However, this artifice did not turn to the prince's advantage. The bishop, nettled at being thus imposed upon, carried his complaints to the barons, who resolved to lay siege to Windsor. This castle was so ill provided with every necessary for a good defence, that Edward thought it not in his power to stand a siege; but on the other hand, he could not resolve to give it up. As he depended upon his address, he imagined that it would not be impossible for him to amuse the barons by a negotiation, which would leave him in possession of the castle upon certain terms, the performance whereof would be in his own power. With this view he went to the earl of Leicester, who was advancing towards Windsor. He met the general at Kingston upon Thames, where he held a conference with him upon the subject: but when he was about to return, not having been able to agree upon terms, his person was seized by the advice of the bishop of Worcester, and by that means he was forced to accept of what conditions they thought fit to impose on him. He was required to surrender the castle of Windsor to the barons, and to order the garrison, which consisted wholly of foreign troops, to depart from England.

The king was not in readiness for war, and it was the barons' interest to let him begin hostilities, in order to bring over the people to their side; but some people who were of a peaceable disposition, and who imagined they foresaw great calamities, as the consequence of obstinacy on either party, took the opportunity to procure a truce, which was followed by a peace on the same conditions with the former. This treaty, however, did not restore tranquillity to the kingdom. As the king was in a manner compelled to it, he soon broke it by endeavouring to surprize Dover Castle, then in the hands of the barons. This attempt having obliged both parties to take arms again, they mutually seized several places. The Londoners, though inclined to the barons, were obliged to keep a sort of neutrality, because they had already experienced, how much it was in the power of the garrison of the Tower, which was in the king's hands, to annoy them. Besides, Henry had still in the city a great number of adherents, which were a check upon the opposite party. In the mean time, the earl of Leicester, considering of what importance it would be to have the metropolis on his side, marched towards it through the county of Surrey, in hopes that his friends would be able to open to him the gates of the bridge. But the king having had notice of his design, left the Tower, and encamped with his troops near Southwark, resolutely bent to dispute the passage with the enemy. The earl of Leicester, who relied more on the assistance of the citizens than on his own forces, vigorously attacked the king's troops, in expectation that the Londoners would favour his passage. During the fight, some citizens of the king's party, perceiving that the city was in motion to assist the earl, locked up the bridge-gate, and threw the keys into the river\*. This con-

trivance had like to have proved fatal to the earl of Leicester, who was for some time hard pressed, having but few soldiers with him. But at length the gates were broke open, and the citizens sallied out in crowds to succour the barons' troops; whereupon the king retired, and the earl entered the city.

On account of the advantage which the barons had gained, the king made them proposals of accommodation. But as all the treaties, which had been concluded hitherto, were to no purpose, because the king complained of being forced to accept of too rigorous terms, which the barons would never own, it was agreed on both sides, to refer all their differences to the arbitration of the king of France. Lewis having accepted the mediation, Henry, attended by prince Edward, went to him at Amiens, in the beginning of 1264, where the states-general were assembled. The sentence† Lewis pronounced upon these differences was favourable to Henry. He declared that the Provisions of Oxford should be null and void; that the king should be restored to his ancient power; that he should have liberty to nominate himself all the great officers of the crown; that foreigners should be as capable of offices and dignities as the English themselves. But he added one clause which destroyed the whole, by declaring, that it was not his intent to abrogate the privileges granted to the English by their kings before the parliament of Oxford‡. The barons looked upon this clause as a manifest contradiction to the rest, because they pretended that the Provisions of Oxford were enacted only to corroborate their privileges. This furnished them with a pretence not to stand the arbitration, and gave them a sufficient cause to renew the war.

The sentence of Lewis was therefore not regarded; and the earl of Leicester and his confederates, determined to procure by force, what they were not able to obtain by negotiation. Without regard to his oaths, that enterprising earl directed his two sons, Richard and Peter de Montfort, in conjunction with Robert de Ferrars, earl of Derby, to attack the city of Worcester; while Henry and Simon de Montfort, two other of his sons, assisted by the prince of Wales, were ordered to lay waste the estate of Roger de Mortimer. He himself resided at London; and employing as his instrument Fitz-Richard, the seditious mayor, who had violently and illegally prolonged his authority, he wrought up that city to the highest ferment and agitation. The populace formed themselves into bands and companies; chose leaders; practised all military exercises; committed violence on the royalists; and, to give them greater countenance in their disorders, an association was entered into between the city and eighteen great barons, never to make peace with the king but by common consent and approbation. At the head of those who swore to maintain this association, were the earls of Leicester, Gloucester, and Derby, with Le Despencer the chief justiciary; men who had all previously sworn to submit to the award of the French monarch. Their only pretence for this breach of faith was, that the latter part of Lewis's sentence was, as they affirmed, a contradiction to the former: he ratified the Charter of Liberties, yet annulled the Provisions of Oxford; which were only calculated, as they maintained, to preserve that charter; and without which, in their estimation, they had no security for its observance.

The king and prince finding a civil war inevitable, prepared themselves for defence; and summoning the military vassals from all quarters, and being reinforced by Baliol, lord of Galloway, Bruce, lord of Annandale, Henry Percy, John Comyn, and other barons of the

\* The chief contriver of this design was one John Gisors, a Norman by birth. M. Well.

† This award, which is printed at large in Tyrrel's Appendix N. 7. bears date Feb. 3, 1263, in father Dacherie's *Spichium*, because the French began not their year till our Lady-day, whereas, according to the accounts of our former historians, the year began on Christmas-day, and so the sen-

tence is dated, as here in Rapin, in 1264.

‡ *Nolumus autem, nec intendimus derogare presentem ordinationem in aliquo Regis Privilegiis, Chartis, Libertatibus, Statutis, & laudabilibus consuetudinibus Regni Anglie, quæ erant ante tempus Provisionum ipsarum.* See Rymer, vol. 1. p. 776, 777, &c.



north, they composed an army, formidable, as well from its numbers as its military prowess and experience. The first enterprize of the royalists was the attack of Northampton, which was defended by Simon de Montfort, with many of the principal barons of that party: and a breach being made in the walls by Philip Basset, the place was carried by assault, and both the governor and the garrison were made prisoners. The royalists marched thence to Leicester and Nottingham, both which places having opened their gates to them, prince Edward proceeded with a detachment into the county of Derby, in order to ravage with fire and sword the lands of the earl of that name, and take revenge on him for his disloyalty. Like maxims of war prevailed with both parties throughout England; and the kingdom was thus exposed in a moment to greater devastation, from the animosities of the rival barons, than it would have suffered from many years of foreign or even domestic hostilities, conducted by more humane and more generous principles.

The earl of Leicester, master of London, and of the counties in the south-east of England, formed the siege, of Rochester, which alone declared for the king in those parts, and which, besides earl Warrenne, the governor, was garrisoned by many noble and powerful barons of the royal party. The king and prince hastened from Nottingham, where they were then quartered, to the relief of the place; and on that approach, Leicester raised the siege, and retreated to London, which, being the center of his power, he was afraid might, in his absence, fall into the king's hands, either by force, or by a correspondence with the principal citizens, who were all secretly inclined to the royal cause. Reinforced by a great body of Londoners, and having summoned his partizans from all quarters, he thought himself strong enough to hazard a general battle with the royalists, and to determine the fate of the nation in one great engagement; which if it proved successful, must be decisive against the king, who had no retreat for his broken troops in those parts; while Leicester himself, in case of any sinister accident, could easily take shelter in the city. To give the better colouring to his cause, he previously sent a message with conditions of peace to Henry, submissive in the language, but exorbitant in the demands; and when the messenger returned with the lie and defiance from the king, the prince, and the king of the Romans, he sent a new message, renouncing, in the name of himself and of the associated barons, all fealty and allegiance to Henry. He then marched out of the city with his army, divided into four bodies: the first commanded by his two sons, Henry and Guy de Montfort, together with Humphrey de Bohun, earl of Hereford, who had deserted to the barons; the second led by the earl of Gloucester, with William de Montchesney, and John Fitz-John; the third, composed of Londoners, under the command of Nicholas de Segrave; the fourth headed by himself in person. The bishop of Chichester gave a general absolution to the army, accompanied with assurances, that if any of them fell in the ensuing action, they would infallibly be received into heaven, as the reward of their suffering in so meritorious a cause. Leicester, who possessed great talents for war, conducted his march with such skill and secrecy, that he had well nigh surprized the royalists in their quarters at Lewes in Sussex: but the vigilance and activity of prince Edward soon repaired this negligence; and he led out the king's army to the field in three bodies. He himself conducted the van, attended by earl Warrenne and William de Valence: the main body was commanded by the king of the Romans and his son Henry: the king himself was placed in the rear, at the head of his principal nobility.

The two armies being thus drawn up, prince Edward began the fight with attacking the Londoners, who not being able to stand against so vigorous a charge, immediately retreated. As the prince, spurred on with a desire of revenging the affront done the queen his mother by the London-mob, pursued them above four miles

without giving them any quarter; this revenge cost him dear; for whilst he pursued his victory, with more eagerness than discretion, the earls of Leicester and Gloucester had gained the same advantage over Henry and the king of the Romans. The barons being very sensible what their lot would be in case they should be vanquished, attacked with a fury mixed with despair, the royal troops, who had not the same reasons to fight with that animosity. Accordingly they took to flight, after a slight defence, leaving the two kings in the hands of their enemies. Henry having surrendered himself to the earl of Leicester, and Richard to the earl of Gloucester, were presently conducted to the priory of Lewes situated at the foot of a castle of the same name, which was kept by some of the king's troops. It was toward this place that the soldiers of the royal army took their flight, in order to retire into the castle. But when they perceived that the town was already in the power of the barons, that the two kings were made prisoners, and that, in all appearance, they were going to be hemmed in on all sides, they threw down their arms, and surrendered at discretion\*.

In the mean time, prince Edward, who was triumphantly returning from the pursuit, was extremely surprized to find the royal army dispersed, to see the field covered with heaps of slain, and to hear that the two kings were made prisoners, and in the hands of the earl of Leicester. His first thoughts were to exert his utmost to set them at liberty; but the prince's soldiers, dismayed at the defeat of the rest of the army, and the taking of the two kings, shewed no inclination to renew a fight, which to them seemed too unequal. This fear, which all Edward's solicitations could not remove, made him lose this opportunity of establishing his fame upon his valour. In the mean time the earl of Leicester drew his army together again, resolving to stand upon his defence, dreading an attack in the disorder he was in; but when he perceived that they gave him time to rally his troops, he had no other concern upon him, but how to hinder the prince from escaping. With this view he sent him proposals, in order to amuse him, whilst by several detachments he took care to prevent his retreat. The uncertainty Edward was at first in, concerning the course necessary to be taken, the opposition he met with from his own troops, the time he spent in trying to animate them, and the several messages which the earl of Leicester sent to amuse him, were the cause of his losing so many precious hours, which should have been laid out either in fighting, or in retreating in good order. But having done neither, he found himself suddenly surrounded on all sides, and obliged to accept of conditions which appeared tolerable in the ill situation he then was. This negotiation, which lasted but a few moments, was ended by these articles of agreement: "That the Statutes of Oxford should be inviolably observed; but, however, in such a manner that they might be amended by four bishops or barons chosen by the parliament: and if it should happen that these four commissioners should not agree, they were to stand to the arbitration of the earl of Anjou, brother to the king of France, assisted by four French noblemen." Hitherto all went well for the prince; but the last article was the worst. This was, "That he himself, and Henry his cousin, son to the king of the Romans, should remain as hostages in the custody of the barons, till all matters were settled by authority of parliament." How hard soever this last article might be, Edward, who saw there was no remedy, was compelled to consent to it. These articles, called the *Assize*, that is to say, the Agreement of Lewes, were signed by Edward, and confirmed by the king, who was not in a condition to reject them.

The earl of Leicester having the king and almost all the royal family in his power, took, as Kapin justly says, all the advantages from thence, that his politics could suggest to him. He who a little before made no scruple to disobey the king, on pretence that he was directed by evil counsellors, made use only of this monarch's name



since he had him in his hands. He made him send orders to the governors of his castles to surrender them to the barons. He caused him to sign commissions to the sheriffs of the several counties, empowering them to take up arms against all those that should dare to disturb the state, that is, against the king's own friends. In short, he who had involved the king in so much trouble, purely to curb the exorbitant power he would have assumed, was displeased, that this same king, when guided wholly by his counsels, was not blindly obeyed. Thus it is that men alter their principles and maxims according to their interests, and according as their affairs come to have a new face.

The barons had no other view in the agreement of Lewes, but to secure the person of prince Edward; and therefore they did not trouble themselves about performing the articles. On the contrary, they drew up a new plan of government, and resolved to get it confirmed by the parliament which was to meet on the 22d of June. The posture of the affairs of the kingdom rendered the calling of this parliament liable to a great many difficulties. This was done in the king's name, who was not in a condition to oppose it; but the barons, who had been conquerors, were not willing those of the contrary party should be summoned, under pretence that they were still in arms against their country. On the other side, a parliament consisting but of part of those who had a right to sit there, seemed to fall short of a lawful authority, and therefore was liable to many objections. These difficulties made the barons think of contriving means to make this assembly more general, and to give in a greater air of authority. They therefore caused the king to sign commissions, whereby certain officers or magistrates who were styled conservators, were appointed in each county, on pretence that they were designed for preserving the privileges of the people, as their name partly signifies. These officers, who depended wholly upon the barons, were invested with very great authority. By their commission they were empowered to do whatsoever they should judge proper to preserve the rights and liberties of the subjects. This done, the king was caused to sign new orders, whereby the conservators were directed to nominate four knights of each county to sit in the ensuing parliament as representatives of their respective shires\*.

The new parliament thus made up, and being entirely at the devotion of the confederate barons, failed not to approve of the plan which the barons had formed†; which plan was to be in force till the parliament should unanimously agree to annul or alter it. It is pretended by some writers, that the king and prince Edward were compelled to consent to it; the first by being threatened with deprivation, and the other with perpetual imprisonment in case of refusal. So that, if they outwardly consented, it was only with a resolution to recant as soon as a favourable opportunity might offer. In the mean time the barons continued to govern the kingdom ac-

cording to this model, persuading themselves, that their mode of government was built on such a solid fabric, as no power could easily shake it.

Pope Urban IV. had appointed, in the year 1263, for his legate in England, cardinal Guido, bishop of St. Sabine. This legate upon his arrival in France, received a letter from the earl of Leicester, by which he was informed, that neither the great men nor his people were disposed to receive a legate at present. Guido was offended at this refusal, but durst not continue his journey. Nevertheless he proceeded as far as Boulogne, where he summoned all the English bishops to appear, and give an account of their conduct; but the bishops did not think fit to obey the summons, and therefore he thundered out against them the sentence of excommunication, from which they appealed to the pope. At length, the affairs of the kingdom being settled according to the wish of the barons, they thought it necessary to give the legate some satisfaction: to which end, they sent four bishops to acquaint him with their reasons for denying him entrance into the kingdom. These deputies found the legate greatly incensed against the barons; when Guido ordered them return to England, and publish the sentence of excommunication against the earl of Leicester, and put the city of London, with all the lands of the earl of Gloucester, under an interdict. The bishops having acquainted the barons of the orders they had received from the legate, were met at sea by people, who, pretending to be pirates, took away all their papers, and threw them overboard. This procedure having made the legate sensible, that it would be a hard matter to get his master's authority regarded at such a juncture, he returned to Rome, where he was soon after raised to the papal dignity under the name of Clement IV. In the mean time, the earl of Leicester, who was at the head of the government, was in great perplexity, on account of the queen, who was making great preparations in France in order to disengage the king her spouse. On the other hand, the insurrection of some lords‡, bordering upon Wales, made him uneasy. He was apprehensive that the Welsh would intermeddle in the quarrel, and succour the king's party. It was dangerous to leave the coasts open to the invasion of foreigners, who, being then in Flanders, waited only for a fair wind to embark. But it was no less inconvenient to suffer the insurrection, which began to appear in the counties adjoining to Wales, to grow to too great a head. To prevent these dangers, he resolved to go in person against the rebels, whilst he ordered the militia of the kingdom to be drawn together to the county of Kent to oppose the queen's landing. His good fortune freed him alike from both these perils. After having gained to his interests Llewellyn, prince of Wales, who might have given him some trouble, he vanquished the rebels, and compelled them to throw down their arms. He was no less fortunate with regard to the invasion he dreaded. The contrary winds kept the fo-

\* "From hence, says Rapin, many affirm the original of the right of the commons to sit in parliament takes its date. They maintain that this is the first time, wherein it appears in a manner incontestable, that the several counties sent deputies to the parliament: that all the reasons alledged to prove that the commons enjoyed this privilege before the year 1264, are subject to so many difficulties, that they cannot be said to amount to a clear evidence. It seems, indeed, that one cannot produce a good reason, which should have induced the historians to observe unanimously, that on this occasion there were in the parliament representatives of each county, if the same thing had been customary ever since the beginning of the monarchy, or at least ever since the Norman conquest. What is the reason that they should have neglected to make the same remark on so many former parliaments mentioned by them? It is certain that those, who pretend to find in the ancient historians proofs of the people sending representatives to parliament, are forced to deduce them from consequences which appear not always just."

† Their plan was, "That the parliament should appoint three wise and discreet commissioners, who should have power

to chuse a council of nine lords, to whom the administration of the public affairs should be committed. That the king by the advice of the commissioners, might change, when he pleased, part of the nine counsellors, or even all at once. That in case the three commissioners should not agree in changing or chusing the counsellors, the majority should carry it. That the resolutions taken by the nine counsellors should be in force, provided they were consented to by any six of them. But if it happened that they should not be able to agree together, and that six of them should not be of the same opinion, the business in question should be brought to the three commissioners, who should determine it as they thought fit. That the king should have it in his power to change or turn out the three commissioners, provided it was done with the consent of the community of the barons. Lastly, that the nomination of all the public officers should belong to the nine counsellors."

‡ Roger de Mortimer, James de Audley, Roger de Clifford, Roger de Leyburn, Haimo L'Estrange, with some others who had made their escape from the battle of Lewes. M. West.



reign troops on the other side of the channel; so that they were forced to return home upon the approach of winter, without the queen's being able to reap the least benefit from the great expence she had been at\*. During this time the king remained in the custody of the earl of Leicester, who disposed of him just as he pleased, making him act against his own interests, under the specious pretence of its being for the good and welfare of the nation in general.

The barons, who had taken up arms against the king, now began to behold with a jealous eye, the excessive power of the earl of Leicester, which was no less absolute than that of Henry, while the supreme power was in his hands. The earl of Gloucester, above all the rest, was highly disgusted at it. He looked upon Leicester as a man who was taking large strides towards the usurpation of the throne. For this reason he was afraid, by lending a helping hand to his rise, of furnishing him with arms to his own, as well as to the destruction of some others, who were no less jealous of his greatness. The disgrace of Robert de Ferrars, earl of Derby, gave him cause to make these reflections†. The earl of Gloucester fancied he could perceive in the cold and reserved behaviour of Leicester towards him, a secret purpose to destroy him when an opportunity should offer. The example of the earl of Derby, and other reasons; but above all, the envy he had entertained at Leicester's greatness, led him to countenance the malecontents in the marches of Wales, that he might make use of them to thwart the ambitious views of him whom he looked upon from thenceforward as his enemy. The cabals, which he openly carried on, having convinced Leicester that it was his business to omit nothing in order to destroy the design of so dangerous an enemy, he caused an order to be sent to all those that had lately taken up arms against the establishment, to retire into Ireland; but they, instead of obeying, went into the lands of the earl of Gloucester, where they met with protection.

The earl of Leicester's enemies in the mean time, published in all places, that his rigorous treatment of the king, and also of the king of the Romans and prince Edward, was but too evident a proof of his pernicious designs. These reports made the earl think it necessary to endeavour to efface these impressions, by letting the people see that he was very far from forming the ambitious projects which his enemies had spread abroad concerning him. To that purpose, he summoned a parliament, and declared that the chief end of it, was to consult about the means to restore prince Edward to liberty. By this declaration he intended to shew, that he was willing to release the heir to the crown; and therefore that he could not have those pernicious views he was charged with. The calling of this parliament was remarkable, for each county was ordered to send, as their

representatives, two knights‡, and each city and borough two burgesses§. As soon as the parliament was assembled, the earl of Leicester, who had a majority of votes at his beck, caused an order to be passed, that prince Edward should be set at liberty. But it was clogged with such a condition, as rendered the favour of no use. This was, that he should remain with the king his father, and obey him in all things. This condition was a plain sign, that their only view was to blind the eyes of the public. Pursuant to this order, the prince was released from Dover Castle, where he had been shut up ever since the battle of Lewes, and delivered to the custody of the king, who was himself a prisoner. This is what they called setting him at liberty. In the mean time Henry remained under the custody of Leicester, who carried him, about with him, and took all imaginable care to prevent his prisoners from escaping out of his hands. Gloucester was now more confirmed in his suspicions against the earl of Leicester, whom he plainly perceived aimed at the supreme power. The two eldest sons for the earl of Leicester having proclaimed a tournament to which all the nobles were invited, the earl of Gloucester did not think fit to be present. He was persuaded that this was only a device to draw him into some snare. Whether his suspicions had any foundation, or whether his prejudice caused him to consider them as plain proofs, he openly confederated with the lords of the Marches of Wales, who were enemies to Leicester, and fortified his castles, as one preparing for war. This proceeding having furnished his enemies with a plausible pretence to strike him home, a proclamation was issued forthwith, declaring the earl and his adherents traitors and enemies to the state. Pursuant to this declaration, Leicester put himself at the head of an army, in order to punish their pretended enemies to the king. With this design he marched towards the Severn, and afterwards passed to Hereford, carrying his two prisoners along with him. The great care with which he guarded the king and the prince his son, did not hinder the earl of Gloucester from projecting Edward's escape out of his hands. He perceived, that as long as his enemy should have the king in his power, he would make great advantage of it. For which reason he thought it expedient to get the prince from him, to the end he might oppose the authority of the lawful heir to the crown to that of the king detained in confinement. He communicated his design to Roger Mortimer, one of the lords marchers, who furnished him with the means to put it in execution. Mortimer having a great many friends at Hereford, made Edward a present, by a third person, of a prodigious swift horse, and at the same time acquainted him with the use he was to make of him, and with the design that was laid for the recovery of his liberty. To second the project, the prince having feigned himself ill, and to want a little exercise, desired

\* Matthew of Westminster says, queen Eleanor had got together a great army, which was commanded by so many dukes and earls as seems incredible, and those who knew the strength and number of that army affirmed, that if they had once landed, they would certainly have subdued the whole kingdom. But God, says our author, in his mercy ordered it otherwise. So true an Englishman was this author, though he appears highly concerned for the king's interest, that he did not think it safe for the nation to have had the king restored by an army of foreigners.

† This earl, who was no friend to Leicester, had been sent to the Tower, not so much for a punishment of the crime laid to his charge, as for an example to such as should dare to censure too openly the conduct of the principal governor.

‡ These writs of summons to the sheriffs of the counties to return the knights of the shires and burgesses, are the first writs of this kind that are now extant on the rolls.

§ This period is commonly esteemed the epoch of the house of commons in England; and it is certainly the first time that historians speak of any representatives sent to parliament by the boroughs. In all the general accounts given in preceding times of those assemblies, the prelates and barons only are mentioned as the constituent members; and even in the most particular narratives delivered of parliamentary transactions, as in

the trial of Thomas a Becket, where the events of each day, and almost of each hour, are carefully recorded by contemporary authors, there is not, throughout the whole, the least appearance of a house of commons. But though that house derived its existence from so precarious, and even so invidious an origin as Leicester's usurpation, it soon proved, when summoned by the legal princes, one of the most useful, and, in process of time, one of the most powerful members of the national constitution; and gradually rescued the kingdom from aristocratical, as well as from regal tyranny. But Leicester's policy, if we must ascribe to him so great a blessing, only forwarded by some years an institution for which the general state of things had already prepared the nation; and it is otherwise inconceivable, that a plant, set by so inauspicious a hand, could have attained to so vigorous a growth, and have flourished in the midst of such tempests and convulsions. The feudal system, with which the liberties, much more the power of the commons was totally incompatible, began gradually to decline; and both the king and the commonalty, who felt its inconveniences, contributed to favour this new power, which was more submissive than the barons to the regular authority of the crown, and at the same time afforded protection to the inferior orders of the state.



leave to ride some horses. The earl of Leicester, who had no suspicion of the plot, readily granted his request, though with a deal of precaution. Besides his usual guard, he ordered some gentlemen to keep always near him, so that there should be no possibility of an escape: but Edward being come out into the fields, immediately breathed two or three horses. Then he called for that which had lately been presented him, and as if he had a mind to use him gently to his rider, he walked him at some distance from his guard, being accompanied by the gentlemen who kept close to him. When he was come to a certain place which he had already observed, and which seemed proper for his design, laying the reins on his horse's neck, and clapping spurs to his sides, he surprised in such a manner those that attended him, that he was got a great way off before they were recovered from their astonishment. They however rode after him, till they saw a troop of horse which the earl of Gloucester had sent to favour his escape. Edward then joined the earl of Gloucester, who received him with abundance of joy and respect. Nevertheless, his view in procuring the prince his liberty, was not to re-establish the arbitrary power which the king had attempted to usurp. Accordingly he plainly told Edward, that he could not promise him his assistance, unless he would oblige himself by oath, to use his utmost endeavours to restore the ancient laws, and to banish all foreigners from about the king's person. Edward promised and swore to do so, in the presence of several barons; after which he took the command of the troops which had been raised by the earl of Gloucester.

The earl of Leicester was very sensible of what consequence the prince's escape might be, yet he appeared wholly unconcerned at it, and continued, as before, to govern in the king's name. He caused to be issued under the great seal, all such orders as he judged expedient for the good of the state and his own interest; these two things being generally confounded together by those who hold the reins of government. The earl of Leicester did all in his power to support himself and his adherents in their authority. He renounced for prince Edmund, the crown of Sicily, in a letter to the pope which was signed by the king.

In the mean time, the earl caused very severe orders to be published to all the king's subjects to oppose prince Edward, the earl of Gloucester, and their adherents, to the utmost of their power, who were all stiled traitors to the king and state. But notwithstanding this, a very great number of barons\*, officers and soldiers came and offered their service to the prince, who in a short time saw himself at the head of an army superior to that

of the confederates. Then affairs began to have a new face, and the earl of Leicester, who, a little before had all the forces of the kingdom at his disposal, could not prevent Edward from becoming master of Gloucester and several other places. He retreated from that prince, who followed him from place to place, and to use all his cunning and all his experience to avoid coming to a battle. As he was a good general, he took care to post himself in such a manner, as to be able to retreat whenever he should find occasion. In the mean while, he sent repeated orders to his son Simon, to quit the siege of Pevensey, which detained him in Kent, and come and join him. Simon obeyed, and with his little army marched with extraordinary expedition to reinforce him: but as he drew near Evesham, where his father was encamped, Edward, who had notice of his coming, fell upon him on a sudden with all his forces, and cut in pieces this little body, which could not stand against him†. This victory animated the young prince with fresh ardour, and he returned to attack the father before he had received the news of his son's defeat. He knew so well how to deceive the watchfulness of the old general, by this sudden resolution, that he came up close to the enemy at the time when the earl imagined it was his son advancing to his assistance. Leicester's surprise was so great, that he could not forbear showing it. However, he put every thing in a good posture of defence, perceiving that retreating would be still more dangerous than fighting.—The battle then began about two o'clock in the afternoon, and lasted till night, notwithstanding the hasty flight of the Welshmen, who deserted the earl in the very beginning of the action. He sustained, however, by his courage and conduct, the efforts of Edward, who fought with an astonishing valour, well-knowing that the good or ill fortune of his life depended on the success of that day. At length, after a long resistance on the side of the barons, the earl of Leicester and his son Henry being slain on the spot, their troops became disheartened, and the prince obtained a full and complete victory‡. His joy at this success was heightened the more at the sight of his father, whom he had the happiness of freeing from the confinement he had been under ever since the battle of Lewes§. This battle was fought near Evesham on the 4th of August, 1265, fourteen months after the battle of Lewes, wherein the king lost his liberty. The body of the earl of Leicester being found among the dead, Roger Mortimer was so inhuman as to mangle it in a barbarous manner. At last he cut off the head and sent it to his wife, as a certain token that he was revenged of his enemy||.

Upon

\* Particularly John Gifford, the second man to the earl of Gloucester in military affairs, brought a great force of horse and foot.

† T. Wykes says, the prince, marching all night, came by break of day to Kenelworth, and fell upon Simon and his men, who were then in their beds, and killed and took prisoners the greater part of them, the chief whom were Robert de Vere, William Lord Munchansy, and Adam of Newmarket. Simon escaped into the castle.

‡ In the battle were slain, Hugh d'Espenser the justiciary; Peter de Montfort, William de Mandeville, Ralph Basset, John de Beaucamp, Roger de St. John, &c. The prisoners were Guy de Montfort the earl's third son; John Fitz-John, Humphry de Bohun, Henry de Hastings, &c.

§ According to Hemingford, the earl of Leicester, who durst not suffer his prisoner to be out of his sight, exposed him to the danger of the battle, in which he was wounded in the shoulder. It is said that he was going to be killed by a soldier, who knew him not, if an officer had not run to his assistance, upon his crying out to the soldier, "Do not kill me, I am Henry of Winchester, thy sovereign." Edward, who was not far from the place, being informed of the peril the king his father was in, ran thither immediately. He left him to a strong guard, and just asking his blessing, returned to the battle, that he might not lose time, which was then so precious to him.

|| Such, says Rapin, was the end of the earl of Leicester, who, though a foreigner, had found means to make himself the most considerable peer in the kingdom, and was even sus-

pected of aspiring to the throne. But, however, there is no certain proof of it, the reports that were spread on this account being built only on bare suspicions, and, perhaps, calumnies. But it cannot be denied, that he abused the power which he acquired, and the trust which his friends and colleagues placed in him. At least he discovered by his conduct, that he was not so great an enemy to arbitrary power, as he would have made to be believed when he was put at the head of the confederates. This is no proof, however, of his aspiring to the crown. Most certainly, this earl had noble qualities; if he was like the earl his father in his valour and bravery, at least, he resembled him not in cruelty. He had all along shewn so great a regard for the monks, that after his death, they would fain have made a saint of him, at any rate, affirming that abundance of miracles were wrought at his tomb. A modern historian [Tyrel] assures us, that he saw in an ancient manuscript several prayers directed to him as a martyr. This opinion of him was so spread among the people that the pope was forced to use all his authority to put a stop to that superstition. However this be, as it is uncertain from what motive the earl acted, it is doubtful whether there is more reason to blame than to pity him. If in taking up arms against the king, his sovereign and benefactor, he was swayed wholly by ambition, one cannot enough detest his ingratitude against a prince his brother-in-law, who had loaded him with favours. But if he was head of a party solely with a view to the good of the public, and in order to free the kingdom from the manifest oppression it groaned under, doubtless there would be people who would not want plausible reasons to justify his conduct. However, with-

out



Upon the defeat of the confederates, the barons felt the severe effects of the king's rage. As he was naturally revengeful and greedy of money, he was very impatient to be revenged on those who had offended him, and to seize their spoils. With this view he called a parliament, which was wholly made up of his creatures, so that they voted to the king the confiscation of the estates of the rebels. The city of London was not spared. The parliament decreed that she deserved to forfeit all her privileges, and on that account they delivered her up to the king's mercy, who took away her gates, chains, magistrates, and exacted twenty thousand marks from the citizens to restore them. The confederate barons, expecting unremitted persecutions, were in great consternation, because they could perceive no mode whereby they might extricate themselves from their distressed condition. Simon de Montfort, eldest son of the earl of Leicester, doubted not but that he should be first attacked, considering the hatred the king had entertained against his father and his whole family. In this belief, he endeavoured to make Richard the king of the Romans his friend, whom he had in his custody in the castle of Kenelworth, by releasing him without demanding a ransom. This example turned to the advantage of several prisoners at the battle of Lewes, who were likewise set at liberty with the same view by those who guarded them. But the king in the mean time, was taking vengeance on those that had taken arms against him, by seizing their estates, which he either kept to his own use, or bestowed them liberally on his favourites. Far from troubling himself about the consequences, he entirely gave way to his revengeful passion, without considering that people reduced to beggary seldom fail of growing desperate. He would have done much better in imitating the prudent conduct of the earl of Pembroke his first governor, who had restored to the vanquished barons their estates, lest by retaining them, he should expose the kingdom to fresh and greater troubles. But Henry's temper was very different; for it was not his fault that he lost not the fruits of the prince his son's victory over the barons, by refusing them the least favour. Simon de Montfort, perceiving his dangerous situation, quitted the castle of Kenelworth, leaving a strong garrison to defend it, in case of an attack; and having drawn together some troops out of the remains of his father's army, he threw himself into the Isle of Axholme in Lincolnshire. It being an easy matter to fortify that place, he soon put it in a condition to serve for a refuge to himself and friends; of whom great numbers daily resorted to him, so that they began to make their enemies uneasy.

The queen arrived from France about the end of October, whither she had retired with prince Edmund her son, after the battle of Lewes. She was quickly followed by a legate, who, a few days after his coming,

convened a synod, in which he solemnly excommunicated the late earl of Leicester and all his adherents, as well those that were dead as those that were alive. Clement IV. finding that the English were tired with furnishing money for the conquest of Sicily, gave the king notice by his legate of a bull of Urban his predecessor, by which the grant to the prince Edmund was annulled. This bull, if historians are not mistaken, had been wisely kept back, because a negotiation was entered into with Charles, earl of Anjou, and the pope was desirous to see the issue of it: but be this as it will, he actually invested that prince with the kingdom of the Two Sicilies this year. Henry, who had not receded from his pretensions, but because he was compelled to it by the earl of Leicester during his confinement, could not, without regret, renounce his hopes\*.

In the beginning of the year 1266, prince Edward was sent with an army to Axholme in Lincolnshire, whither Montfort had retired. It was no easy matter to beat the malecontents from a place so strongly fortified both by art and nature; the prince, after the besieged had made an obstinate defence, compelled them to surrender, on condition their lives and limbs were spared. As to their estates, it was agreed they should submit to the judgement of the king of the Romans, and prince Edward. This capitulation being signed, Montfort was brought to the king, and found a powerful mediator in the king of the Romans. The prince affirmed, that after the battle of Evesham, the garrison of Kenelworth would have murdered him, if Montfort had not hindered it at the peril of his own life. After which, he earnestly entreated the king to give him a free pardon, in consideration of his having generously set him at liberty without demanding a ransom. And Henry would certainly have forgiven Montfort, if the earl of Gloucester had not openly opposed it. So that, as it was necessary to keep fair with Gloucester as well as with the king of the Romans, it was resolved in council, that Montfort should have liberty to depart the kingdom, and that the king should grant him a yearly pension of five hundred marks, provided he delivered up the castle of Kenelworth. But it was not in his power to perform this condition, because the garrison refused to obey him. The other rebels were pardoned upon their taking an oath, that they would not for the future bear arms against the king: this oath was afterwards very ill kept. Montfort seemed pretty well satisfied with his lot; but shortly after joined himself with some pirates of the cinque-ports, who gave him the command of their ships, with which he plundered, without distinction, all the merchant-men that came in his way. It appearing that the inhabitants of the cinque-ports countenanced these piracies, so that the king sent prince Edward down to chastise them. But the prince, not fond of spilling human blood, reduced them to their duty without drawing a bow. He pro-

out examining the matter too closely, modern writers for the most part inveigh bitterly against him, and the name of the English Catiline is one of the least reproachful they give him. But one can hardly expect otherwise from most of the historians, who generally dedicate their works to kings, queens, prime-ministers, and favourites."

• "Thus ended, says Rapin, the affair of Sicily, which the popes had made a handle for so many oppressions on the people and clergy of England. If it cost the English immense sums, they reaped at least this benefit by it, that it sensibly lessened the good opinion which they entertained before of every thing that came from the court of Rome, and taught them to be more upon their guard for the future against her usurpations. This is what we shall have occasion to know more particularly in the following reigns, where we shall see the English much less tractable with regard to the popes. One may say likewise, that this affair was the principal cause of the misfortunes to which Henry was exposed for so many years; and at the same time, of the solid establishment of the Great Charter, which from thenceforward was but feebly attacked. Had not Henry been under the necessity of satisfying the avarice of the popes, he would have less oppressed his subjects, and the barons would have wanted the most plausible pretence of their confederacy. It is very strange, that the pope's grant to prince Edmund

should be unknown to the historians of Naples and Sicily, who say not one word of it, though the countries of which they have written the history were so much concerned in it. There is but one of them that just mentions it by the by, and even he is mistaken in the name of the English prince, to whom he says, the pope had a mind to make a grant of Sicily. Villani, an historian of note, gives us the pope's speech to the cardinals, to induce them to approve of his design to invest Charles of Anjou with the Two Sicilies. In this harangue the pontiff lays before them, all the injuries the church had sustained from the hands of Manfred, the necessity there was of destroying the house of Swabia, and the advantages which would accrue to the church, if these kingdoms were given to a prince who should be able to undertake her defence. One would think that this was a very natural occasion, to speak of the endeavours which his predecessors had used to dethrone the usurper by the assistance of the king of England, in giving the crown of these kingdoms to one of his sons. But he says not a word of the matter. What may we then infer from this silence of the pope, and the Neapolitan and Sicilian historians, but that the court of Rome never really intended to procure this crown for prince Edmund, and that her sole aim was to drain England of money under so frivolous a pretence?" *Vide Rapin's book VIII.*



mised them a general pardon, and the confirmation of their privileges; on which account they swore fealty to the king.

Notwithstanding the success of the king's arms, it could not however be said that peace was fully restored to the kingdom, since the castle of Kenelworth was still in the hands of the malecontents. There was likewise, in the northern counties, a troop of armed men, headed by Robert, earl of Ferrars, in conjunction with Baldwin Wake, and John Dayville, and several other barons. The earl was taken prisoner, the rest escaped to the Isle of Ely. In order to quell these, the king sent Henry, eldest son of the king of the Romans against them. By the expedition which the young prince made, he surprized the rebels, and cut in pieces the greatest part of them, the rest taking to flight. He could not, however, seize the ringleaders, who having joined with some other malecontents, and particularly those who had quitted Axholme, went to the Isle of Ely in Cambridgeshire, which they became masters of; from whence they made continual inroads into the neighbouring counties, where they committed great ravages.

About the same time, Adam de Gourdon, another rebel, having taken up arms in Hampshire, Edward marched into those parts, where he had occasion to give sensible proofs of his courage and generosity. In a battle with the rebels, Adam, who was strong and valiant, attacked the prince hand to hand, and obliged him to use all his dexterity and valour. This single combat was not interrupted till Adam, being down on the ground, offered to yield himself prisoner to the prince\*. This act of bravery in Edward, was immediately followed by another of generosity, which gained him no less honour. Without suffering himself to be transported with a desire of revenge against a man who had put him in so great danger, he generously gave him life and liberty. Adam sensibly touched, as he ought, with this favour, served him faithfully ever after. So says Rapin; but Walter de Hemingford tells us, the prince sent him to Windsor Castle in chains, to keep company with the earl of Ferrars.

The garrison of Kenelworth was become so formidable, and at the same time so odious, on account of the various outrages committed by them in the adjoining country, that the king's council resolved that this castle should be immediately blocked up, and that the siege of Ely should be put off till another opportunity. The king was extremely incensed against the governor of Kenelworth, who had been so insolent as to cut off the hand of his herald whom he had sent to summon him to surrender. The desire he had to punish him, made him resolve to go in person to this siege. But notwithstanding his presence, they defended themselves so bravely, that after a six months siege, there was no appearance of being able to force them to come to a capitulation. This vigorous resistance was the reason that the siege was turned into a blockade. In the mean time the king continued in the town of which he was master, expecting that hunger would compel the garrison to surrender. During the blockade, Henry called a parliament at Kenelworth, in 1267, to consult about the means to reduce the rebels of Ely, either by offering them an easy composition, or by force, in case they rejected what should be offered them. To this end the parliament drew up certain articles, containing the terms on which the king was to grant a general pardon†. The rebels did not think fit to accept the terms, and even took occasion from thence to increase their outrages; and

made an excursion as far as Norwich, from whence they carried off above twenty thousand pounds sterling, and did the same by the town of Cambridge in their return to Ely.

The garrison of Kenelworth, though closely blocked up, and reduced to that extremity that they were forced to eat their horses, relying on the succours which Simon de Montfort had promised them, held out with an invincible resolution; but at length, when they could scarce withstand any longer the hunger which pressed them, seeing no likelihood of assistance, they capitulated whereby they obliged themselves to deliver up the castle, in case they weren ot relieved within forty days: in the mean time they were to be furnished with provisions. This term being expired, they marched out of the castle in a pale and meager condition, insomuch that they looked more like dying men, than brave soldiers ‡.

The earl of Gloucester now observed with regret, that in proportion as the king's affairs prospered, the father and son acted with less moderation, and made less scruple to stretch the prerogative royal beyond the bounds prescribed by the laws. He called to mind the oath which prince Edward took on his escape from the earl of Leicester; and that what he had done for the king and prince was not so much to enlarge the royal power, as to prevent the earl of Leicester from taking possession of the throne. The conduct of the king, who was going on in the old track, having made him sensible, that if the malecontents were once reduced, it would be too difficult a matter to confine the sovereign within the bounds of an authority limited by the laws, he thought it necessary to put a stop in time to his progress. He then retired to his own estate on the borders of Wales, where he made a league with Llewellyn and some neighbouring barons; after which he sent word to the malecontents of Ely, that he would endeavour to give them assistance.

The king, apprehensive of danger, convened a parliament, that he might take measures about quelling the malecontents. The earl of Gloucester refused to appear, and the king dispatched some lords to admonish him to take his seat. These lords found the earl levying troops; and, as they seemed surprized at his proceedings, he told them, they were designed against Mortimer his enemy. He even gave a writing signed with his own hand, whereby he engaged never to bear arms against the king; so that he wiped off all suspicion against himself. The lords being satisfied, the king and parliament laid plans concerning the siege of Ely, the only thing that gave them any disturbance. The resolution they took of vigorously pushing this siege, furnished the king with a plausible pretence to demand a subsidy; whereupon the parliament granted him a very considerable one. Although the legate had not the same reasons, he pressed the clergy to grant the same aid to the pope; but the prelates not only refused to comply with it, but also committed to writing the reasons of their denial, which were not much to the honour of the court of Rome.

As soon as the parliament broke up, the king took the field at the head of his army. He advanced as far as Cambridge, where he halted, in order to summon the rebels of Ely to return to their duty; but their answer plainly made appear that they were not easily to be frightened. Their resolution, and the situation of the Isle of Ely, which had formerly very much embarrassed William the Conqueror, abated a little his warlike ardour, and caused him to wait the coming of the prince his son, who was then at York. Whilst the king was at

\* It seems the prince, when he came up with the rebels between Farnham and Alton, hastily leaped over a ditch or trench which surrounded their camp, and his forces not being able to follow him directly, he was obliged to fight thus hand to hand with Adam.

† These articles were called *Dictum de Kenelworth*, and were to be put in execution by twelve persons nominated by the king and barons assembled in parliament. This decree or

No. XIX.

statute of Kenelworth is to be seen at large in a manuscript copy in the Cotton library, and also in Tyrrel, p. 1064, 1095.

‡ The king bestowed this strong castle, which was forfeited to him by the late earl of Leicester, upon earl Edmund his second son, whom he had created some time before earl of Derby, upon the attainder of Robert de Ferrars. T. Wykes.



Cambridge, the earl of Gloucester headed the army he had raised on his own lands and in Wales, and marched towards London, which he instantly took possession of. He then approached the Tower, the custody whereof the king had committed to the legate. He summoned him to deliver it up immediately, alledging, that it was not a post to be trusted in the hands of a foreigner, much less of an ecclesiastic. The legate, surprized at this unexpected summons, seemed inclinable to stand upon his defence; but the want of provisions quickly constrained him to surrender. As soon as the earl was master of the Tower, he was no longer careful to hide his designs. Besides, as several of the disinherited\* came daily and joined him, it was visible to all, that his intention was not to act for the king's interest. At length he pulled off the mask, and published a manifesto, wherein he declared, that he had taken up arms, to obtain reasonable terms for the malecontents. Moreover, he complained of the king and prince, affirming that his design was to oblige them better to keep their promises. Surprized at this fresh revolt, Henry sent pressing orders to the prince his son to join him without delay, being in continual fear of an attack. He did not think himself in a condition to come off with honour in an affair of this nature, if he should be forced to come to a battle. The prince received these orders as he was returning from the north, where he had completed his design, which obliged him to march with expedition to the king's relief. As soon as they were joined they advanced together towards London, and encamped at Stratford, which is within three miles of the city. The universal esteem Edward had acquired among the nobles and people, rather than their affection for the king, caused in a very short time the army to be considerably increased. For this reason the earl of Gloucester kept himself shut up in London, from whence he durst not depart, for fear of engaging at too great a disadvantage. He was in hopes that the whole kingdom would join with him, and that the king would suddenly be deserted by his own troops. But finding he had depended upon uncertainties, and that his friends began to leave him, he applied to the king of the Romans, by whose intercession he obtained much better terms than he had reason to expect. He was not only acquitted upon laying down his arms, but he had the satisfaction also to get the city of London included in his pardon, the inhabitants of which would, without doubt, have been severely punished. He endeavoured to procure the same favour for the rebels of Ely: but the king and prince being inexorable on their account, he was forced to abandon their interests. This affair being ended, Edward approached the Isle of Ely, where the malecontents, who had no prospect of relief, chose to surrender before they should be reduced to extremity. The only condition they could obtain, was the saving their lives and limbs. Thus a period was put to the troubles which had afflicted the kingdom during five years.

Henry, having an army in readiness, resolved to go and correct the insolence of the prince of Wales, who, during the late troubles, had assisted the rebels. To this end he advanced as far as Montgomery, where Llewellyn sent him ambassadors to sue for peace. The offer he made the king, to pay him twenty thousand marks, and to do him homage for his principality, induced Henry to hearken to his proposals. But besides what he had offered, the king obliged him to deliver up certain castles which were conveniently situated for the king's use.

The tranquillity of the kingdom being restored, the king summoned a parliament in 1268, in which Ottobon,

the pope's legate, was present. He informed the assembly, that the pope had resolved to publish a Crusade in Christendom, and therefore he exhorted the English to contribute their money and persons towards this expedition; the sole end whereof was the glory of God and the good of the church. The peace England began to enjoy, caused many to engage in this undertaking, especially when prince Edward, and Henry, son of the king of the Roman, received the cross from the hands of the legate. The earls of Warwick and Pembroke, and above a hundred and twenty knights, followed the example of the two princes, besides an infinite multitude of persons of inferior quality. The king of France, who burned with impatience to carry the war again into Palestine, engaged prince Edward to join him; but as the prince was in want of money, Lewis lent him thirty thousand marks, for the payment of which Edward mortgaged the revenues of Bourdeaux for seven years to that monarch. Henry having assembled a parliament, obtained a twentieth part of the moveables of the kingdom, part whereof was to be employed towards defraying the charges of the prince's expedition. The legate having no further business in England, returned to Rome, and the king of the Romans took his third journey to Germany.

Whilst the Croises were preparing for their voyage, the king assembled a parliament at Marlborough, where a body of statutes were enacted, which made a considerable figure among the laws of England†.

Before prince Edward had departed for the Holy Land, the king of the Romans arrived in England, bringing with him his new wife, whom he had married, in Germany, not so much on account of her riches as of her beauty. Her name was Beatrix, and she was the daughter of Theodoric de Fulkmorite, a German nobleman.

In 1269, Henry caused the relics of Edward the Confessor, for which he had a particular veneration, to be removed. The ceremony of the translation, to which all the considerable men of the kingdom had been invited, was performed with a great deal of pomp. The shrine of the saint, adorned with precious stones, was carried on the shoulders of the king of the Romans, the princes, and chief lords, and placed in the new church of Westminster which was just finished, and rendered the most stately church then in Europe‡.

The tranquillity of England was likely to be disturbed in 1270 by the suspicion the earl of Gloucester entertained against prince Edward. The earl not being able to persuade himself that the prince was heartily reconciled to him, kept from court, and always found some excuse not to be present at the parliaments. The king became very uneasy at this behaviour, being apprehensive that the earl had still some design to break the peace of the kingdom. But the king of the Romans set aside these fears, by procuring a perfect reconciliation between the prince and earl.

Whilst these things were passing in England, the king of France had altered his design; and instead of going to the Holy Land as he had at first intended, he had sailed to Africa at the instance of Charles, king of Sicily, his brother, who was at variance with the king of Tunis. He expected that the African prince should pay the same tribute to him, as his predecessors had paid to the emperor, with all the arrears that were due. To support his pretensions, Lewis landed his army in Africa, and was preparing to lay siege to Tunis. But the Moorish king chose rather to bind himself to pay their demand, than hazard the loss of his dominions. Lewis was sailed for Africa, when Edward set out from Port-

\* The appellation given to the malecontents.

† The statutes of Marlebridge, now Marlborough, were made November 18, Ann 5ad. H. III, 1267. In the preface they are said to be made by the advice and consent of the more discreet men of the realm, as well of the higher as of the lower estate, which last Tyrrel understands of the house of commons, or knights of the shire and burgesses. These statutes

chiefly aim at reforming the abuses crept in during the late troubles, and are divided into twenty-nine chapters, as the reader may see at large in our law-books.

‡ The shrine was of gold, and no doubt remained there till the 27th of Henry VIII, when all such shrines and relics were removed as superstitious. This translation was performed on the 13th of October, as marked in the calendar



mouth, in order to take with him the prince's his spouse at Bourdeaux, from whence they went together and embarked at Aigues Mortes, where their fleet waited for them. They joined the king of France, before Tunis, where he waited to see the performance of the treaty he had made with the Moors. Edward urged this monarch to pursue his voyage to Palestine, but could not prevail with him to stir before he should have received full satisfaction from the king of Tunis. As Edward had no concern in this affair, he resolved to pass the winter in Sicily with a design to proceed for the Holy Land in the beginning of the spring. Soon after he quitted the coasts of Africa, the pestilence broke out in the camp of the French, and raged with such violence, that it not only carried off the private soldiers, but also the principal officers. The king himself being seized with it, resigned up his last breath in the arms of Philip his eldest son, who resolved to return to France. Though by the death of Lewis, Edward lost all hopes of making any great progress in Palestine, he nevertheless continued his voyage, and arrived there according to his vow\*. In the mean time, Philip's return to France giving him some uneasiness on account of Guienne, he resolved to send thither Henry his cousin, son of the king of the Romans, to watch the motions of the French. This young prince being gone for Bourdeaux, passed through Viterbo, a city in the pope's dominions, where he intended to make a short stay, which cost him his life. Guido de Montfort, son to the late earl of Leicester, being at that place, and seeing the prince go into a church, followed and murdered him before the high-altar, in revenge of his father's death, who was slain in the battle of Evesham, as before-mentioned. But the pretence made use of by the murderer to justify this infamous action, could not be but unjust, since neither this prince, nor the king of the Romans his father, were present at that battle, being then both under confinement†.

Edward's progress in the Holy Land was not great; but his valour, fame, and the reputation of king Richard his great uncle, struck such a terror into the infidels, that to free themselves from their fears, they sent an assassin to dispatch him. The villain, under colour of settling a correspondence between Edward and the governor of Joffa, who feigned a willingness to turn Christian, found means to be admitted into the prince's presence, and frequently to discourse with him. At last, as he was alone in his chamber, he was just going to stab him with a dagger in the belly, if Edward had not warded off the blow with his arm, where he received a dangerous wound. The assassin, enraged at having missed his aim, was about to redouble his blow with greater violence; but Edward gave him such a kick on the breast with his foot, that he forced him backwards, and leaping upon him at the same time, wrested the dagger out of his hand, and killed him immediately.

The prince's wound was much more dangerous than it at first appeared to be, because the dagger was poisoned. The wound beginning to gangrene, made them despair of a cure; but by the help of a skilful surgeon he was recovered‡. Whilst Edward was in Palestine, Theobald, archdeacon of Liege, who had attended him thither, received the news of his election to the papal throne. He set out immediately for Rome, where he took upon him the name of Gregory X. Edward's army daily diminished, either by sickness or divers battles with the Saracens, and he had no hopes of being reinforced from France or elsewhere. This consideration obliged him, though with great reluctance, to propose to the sultan a truce, which, after a short negotiation, in 1272, was concluded for ten years, ten months, and ten days, both parties being to keep what they were in possession of. Nothing detaining Edward any longer in Palestine, he embarked his troops, and sailed for England.

During his absence, the king, his father, enjoyed a perfect tranquillity, which was not disturbed but by the death of the king of the Romans his brother. He died at Berkhamstead, and was buried at the abbey of Hayles. It said that this prince's grief for the tragical death of his son, threw him into a fit of sickness, which caused his death; Edmund, his other son, succeeded him as earl of Cornwall, having been invested with that title by the king his uncle.

Not long after, a riot happened at Norwich, occasioned by a quarrel between the citizens and the monks, in which the cathedral and monastery adjoining, were reduced to ashes by the townsmen. Henry resolved not to let this breach of the peace go unpunished, and therefore went in person to Norwich, where he caused those that were found guilty, to be drawn at horses tails to the gallows, where they were hanged, and their bodies were afterwards burnt. In returning to London, he was seized at Edmundsbury with a languishing distemper, which, however, did not hinder him from continuing his journey to London. But his sickness increasing, he died on the 20th of November, 1272, a few days after his arrival, aged sixty-six years, whereof he had reigned fifty-six, and twenty days. He ordered that his body should be interred near the shrine of Edward the Confessor, in the abbey church of Westminster, where his tomb, with the statue, are still to be seen\*.

The character of king Henry has so visibly appeared in all the circumstances of his life above related, that it will be only reciting what has been already said in effect, to dwell on the character of this prince. His narrow genius, his easiness to suffer himself to be governed by haughty and selfish counsellors, his variable and fickle temper, and the notions of arbitrary power which were instilled into him from his very youth, were the real causes of the troubles which disturbed his reign. Too faint-hearted when he should have shewn the most resolution,

in the midst of which are large oblong faces of porphyry, and serpentine stone, which he brought from France when he returned from the Holy Land. Upon the top lies the figure of the king in his royal robes, with his crown on his head, and his feet placed upon two lions; the whole of copper gilt. His globe and sceptre, which were formerly in his hands have been stolen. The following inscriptions are upon the tomb:

*Idi: gift Henri: iades: rey: de: Engleterre: seignur de: Hirelaunde: duc: de: Aquitayne: le: filz: li: rey Johan: iadis: sey: de: Engleterre: a: ki Den: face mercy: Amen.*

#### IN ENGLISH

Here lies Henry, some time king of England, lord of Ireland, duke of Aquitain, son of king John, also king of England; on whom may God have mercy. Amen.

*On the NORTH SIDE of the same MONUMENT, are these words Tertius Henricus est Templi conditor hujus. 1272. Dulce bellum inexpertis.*

#### IN ENGLISH:

Henry the Third, the [re] builder of this church, 1273. War is grateful to the unexperienced.

and

\* He was so bent upon going, that when he was dissuaded from it in Sicily, he smote his breast and swore, "By the blood of God, though all shall desert me, yet will I go to Acon, if I am attended only by Fowen my groom."

† Both his cousin-germans Simon and Guido, are said to have been concerned in this murder. Henry's body was brought over the next year into England, and buried in the monastery of Hales in Gloucestershire, founded by king Richard his father.

‡ Some have affirmed, he owed his life to the tender love of Eleonora his spouse, who would venture to suck with her own mouth all the venom out of the wound. But this circumstance is mentioned by no author of that time. Tyrrel observes, that Camden in his Britannia (com. Middlesex) is the first that mentions it, and from him Speed has transcribed it in his Chronicle. Both of them quote Rodericus Toletanus; but that archbishop, as he says himself, finished his history in the year 1249, which was twenty years before this accident happened. This prince's who brought to bed at Acres of a daughter, called Joanna de Acres from the place of her birth, according to the custom of those days.

§ This king's monument is mosaic work of grey marble, chequered with jaspers and opals, and other curious stones;



and too resolute when he should have stooped and complied with the times; he seemed to effect continually the doing what was least consonant with his own interests. One can say nothing of his courage, since he never gave any sensible proof it. He was exceeding greedy of money, but it was to squander it away so idly, that notwithstanding the vast sums he levied upon his subjects he always remained poor. How pressing soever his necessities were he could not help lavishing away his money upon his favourites, not considering the great pains he was forced to be at to obtain aids from his parliament. This profuseness, and the immense sums which were in vain laid out in the unlucky affair of Sicily, were the principal causes of the misfortunes he was exposed to during the whole course of his life.

Henry III. had nine children by Eleanora of Provence, his wife; four of whom, two sons and two daughters, survived him; the rest died in their infancy: Edward, his eldest son, was his successor. Edmund, his second son, after having in vain expected the crown of the Two Sicilies, which the pope had flattered him with, was made earl of Lancaster, Leicester and Derby, lord of Monmouth, and high steward of England. Margaret, his eldest daughter, was married at nine years of age to Alexander III. king of Scotland, to whom she left but one daughter of his own name, who was wife to Eric, king of Norway. Beatrix, second daughter to Henry, was married to John de Dreux, duke of Bretagne.

In this reign the trial by fire and water-ordeal, though never taken away by act of parliament, was by king Henry's command, laid aside by the judges, and soon after grew quite out of use. Weights and measures were thus fixed: an English penny called a sterling, round and without clipping, was to weigh thirty-two wheat-corns taken out of the midst of the ear, and twenty pennies were to make an ounce, twelve ounces one pound, and eight pounds a gallon of wine, and eight gallons of wine a London bushel, which is the eighth part of a quarter. One of the privileges granted by Henry III. to the inhabitants of Newcastle was, that no Jew should dwell or stay in the town. The king, for the support of such Jews as embraced the Christian religion, and were destitute of livelihood, founded a house at London, called *Domus Conversorum*, and endowed it with a competent revenue. This house was situated in Chancery-lane, near the New Temple, and was since called the Rolls.

## C H A P. V.

### EDWARD I. \* SURNAMED LONG-SHANKS.

ON the death of Henry, his son Edward succeeded to the throne†. Although Edward was absent at the time of his father's decease, and they had not heard from him, yet the barons unanimously swore fealty to him at the high altar. They also wrote a very respectful and submissive letter, inviting him to take possession of the throne of his ancestors with all convenient speed. In the mean while, they assembled at London, in order to commit the regency of the kingdom to such as should be deemed the most capable of it. They chose the archbishop of York, and the earls of Cornwall and Chester; the parliament‡ which met quickly

after, confirmed all the measures that had been taken to preserve the peace of the realm.

Edward pursuing his voyage without knowing what was doing in England, safely arrived in Sicily, where Charles of Anjou received him with all the respect due to his rank and merit. He was at Messina when he heard of the death of the king his father, at which he appeared much more concerned than at the death of John his eldest son, the news whereof was brought him at the same time. From Sicily he set out for Rome, where he stayed some days, to visit the new pope, who was his particular friend, and had attended him to Palestine, in quality of legate. After which, in 1273, he took the road to France, and passed through Burgundy. Having the reputation of being a prince of great valour and bravery, the earl of Chalon, who valued himself upon the same qualities, desired his presence at a tournament which was to be made in the country, and even sent him a sort of challenge, which Edward accepted without hesitation. The pope addressed a letter to Edward on the occasion, dissuading him from the enterprise; but his holiness's epistles was not forcible enough to divert him from his purpose. Some historians pretend, that the Burgundians did not use all the fair play requisite on such occasion. They tell us that the tournament was turned into a real fight, wherein the English got the better, and which was called, The Little Battle of Chalon. Edward then went to Paris, to pay a visit to king Philip, who honourably received him; and in return, he received from Edward homage for Guienne. After which, Edward came to Bourdeaux, where the vassals of that duchy did him homage. According to Mezeray, Gascon de Moncade, viscount of Bearn, would have avoided doing homage, and that he was taken into custody at Bourdeaux, where he went to meet the king. But by the Collection of Public Acts it evidently appears, that the dispute was about some other affair. The matter was decided at Limoges by Accurias, a famous civilian, then in the service of the king.

As soon as Edward had settled his affairs in Guienne, he came into England in 1274, where he was received with all possible demonstrations of respect, as having acquired fresh merit by his late expedition to Palestine. A few days after his arrival he was crowned, together with Eleanora his queen, in the presence of Alexander III. king of Scotland, the duke of Bretagne, and all the peers of the realm§. The ceremony was performed at Westminster by Robert Kilwary, archbishop of Canterbury.

The first public business the king entered upon after his coronation, was to make strict enquiry into the affairs of the kingdom. To that purpose, he appointed commissioners to go through the several counties, and take exact information concerning the fiefs held of the crown, and the state they were in. They were likewise ordered to examine into, and punish the misdemeanors of the magistrates, who for some time had but too much abused their authority in oppressing the subjects. The first step produced a wonderful effect among the people. It was plain from thence, that the king intended to govern in a very different manner from his father and grandfather, and every one expected with assurance, the happy fruits of the maxims he was following, to preserve a reign of peace and tranquility. Llewellyn, prince of Wales, had discovered, during the late troubles in England, how dangerous a neighbour he was, since he had

\* This was in reality the fourth king of this name, there having been three Edwards in the time of the Saxons. For this reason, in speaking of this and the two following Edwards, by the name of Edward I. II. III. it was usual to add *post conquestum*, after the conquest, but by degrees that addition was omitted. Ropin.

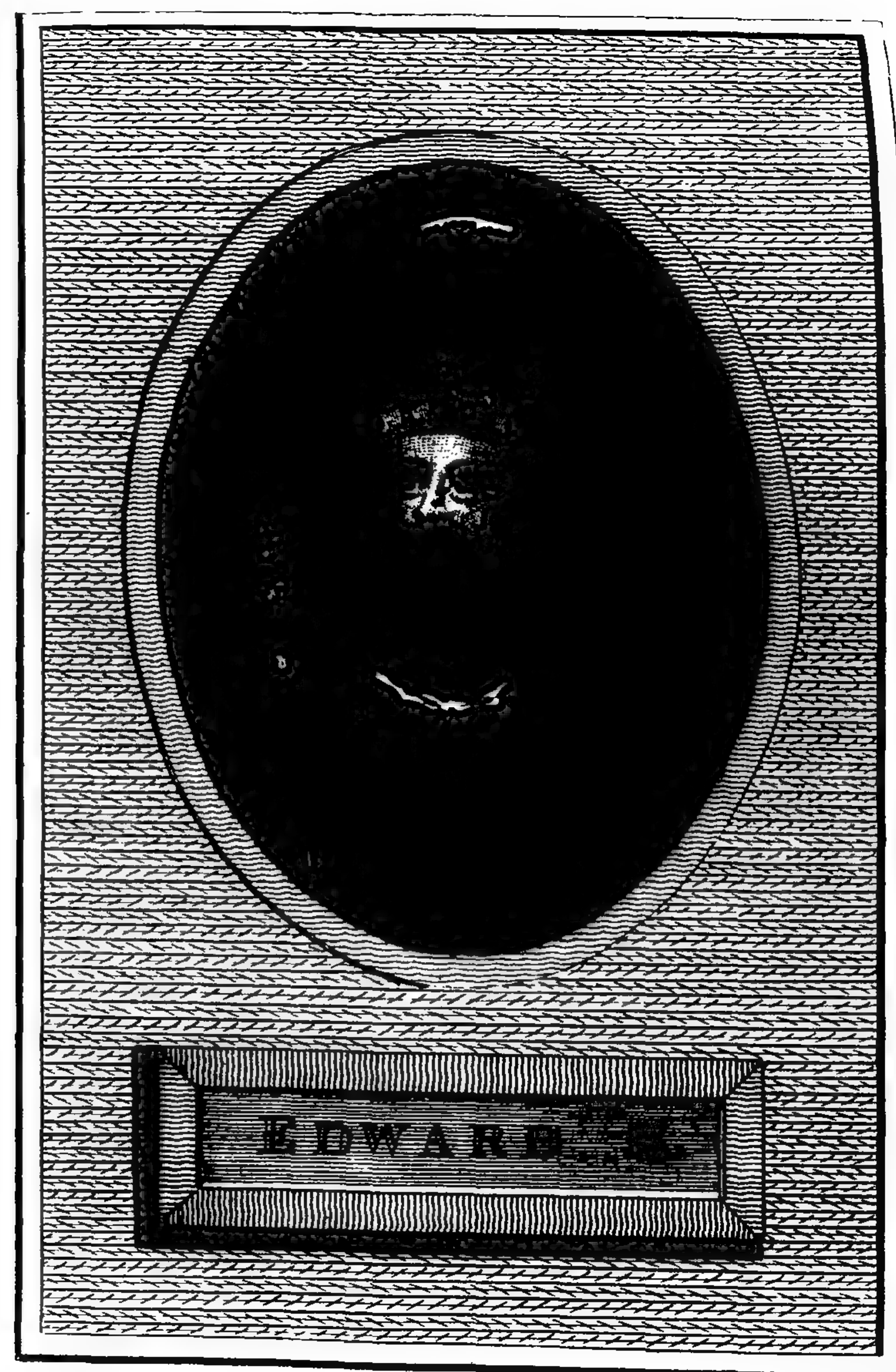
† This prince had shined with great lustre during the latter part of his father's reign. The victory of Evesham, the subduing the rebel of Lly, and his clemency to them after he had reduced them, were still fresh in the minds of the English,

and filled them with esteem and admiration for his rare qualities.

‡ This parliament was composed not only of the lords spiritual and temporal, but also of the knights of the shires, and representatives of the principal boroughs and cities. The same thing had been practised under the government of the earl of Leicester, during the late king's captivity.

§ Historians tell us, that on occasion of this solemnity, five hundred horses were let loose about the field, which were liberally given to such as could catch them.







been ever ready to countenance the English malecontents. Had it not been for him, the earl of Leicester would never have risen to that height of power; neither would the earl of Gloucester have become so formidable, without Llewellyn's assistance. These circumstances caused Edward to resolve to disable his enemy from doing any further mischief. But the present circumstances of the times, and his voyage to the Holy Land, had constrained him to defer marching into Wales for the present. Llewellyn was not ignorant of it. He considered Edward as his greatest foe; but the precautions he took to screen himself from his resentment, had a quite contrary effect, seeing they furnished the king with a pretence to attack him\*.

In 1275 a parliament was assembled, which met at Westminster in April. This parliament was employed in affairs of great importance; namely, in enacting excellent laws, for the securing the peace and liberties of the people, as well as the immunities of the church, and privileges of the clergy. They were called, The Statutes of Westminster, which may be seen at large in the Collection of Public Acts.

After the parliament broke up, the king applied his thoughts to the war, which he had resolved to carry into Wales, in order to punish the disobedience of Llewellyn. It happened whilst he was making preparations, that some Bristol men took a vessel, on board of which was one of the daughters of the late earl of Leicester, who was going to Llewellyn, to whom she had been contracted. The prince demanded his wife, and the king having refused to send her to him, he perceived he had nothing to expect but a war. Edward then convened the peers of the realm, who passed a judgement against Llewellyn, declaring him guilty of felony; whereupon the war was declared. Llewellyn now began to repent of having pushed matters so far. To divert the impending storm, he sued for peace in the most humble terms; and at the same time, intreated the king to liberate his wife. Both requests were denied, unless he would bind himself to make satisfaction for all the damages he had done to the borders of England during the late wars; a condition which he would not agree to. The war therefore was begun in 1276; but was not carried on the first campaign with much warmth. Early this year a parliament was summoned at Westminster,

\* We have before observed, that Llewellyn, grandfather to this prince, became tributary to Henry III. and that his successor did homage for all Wales. Although from that time the Welsh had made some struggles to throw off their yoke, even to the offering to give themselves up to the pope, they had never been able to succeed. In spite of the troubles in England during the late reign, the crown continued to reckon among her vassals the prince of Wales. Immediately after the death of Henry III. and before the return of Richard, Llewellyn was summoned to appear and do homage to the absent king, but he made no manner of account of the summons. His refusal was the reason that the new king ordered him to be summoned a second time, to do him homage, and to assist at his coronation as vassal. Llewellyn alledged reasons to be excused. He pretended that the English had not kept the late treaty of peace, and that they had committed on his frontiers several outrages, for which he demanded satisfaction. To take from him this pretence, the king nominated Commissioners, who had orders to adjust all things, and at the same time, he summoned him again to appear and do him homage. This third summons was no more regarded than the former ones. In the mean while, Llewellyn, having been informed that the archbishop of Canterbury was going to excommunicate him and put his territories under an interdict, wrote to the pope, to try to divert this blow. The means he made use of to bring the court of Rome into his interests, were so effectual, that the pope forbid the archbishop to act against him, as long as he offered to do homage in his own country. Edward not being of a very easy temper, sent him a peremptory summons, which the Welsh prince did not think fit to disobey. He would however still insist upon the place, pretending that he was obliged to do homage only to the king in person, and that on the borders of the two kingdoms. Edward readily consented to this; but a sudden illness, which seized him as he was setting out from Shrewsbury, caused the homage to be deferred to another time. Afterwards Llewellyn repented of the advances he had

No. XX.

when Edward ordered that the two charters of king John should be strictly observed. He also revoked several forfeitures made in his father's reign by Monfort's rebellion. About Michaelmas another parliament was held at Westminster, when the famous statute of bigamy was enacted†.

In the spring of 1277, Edward put himself at the head of his army and marched into the enemies country. He caused there a very large way to be cut through a vast forest, opening by that means a passage to the very center of Wales. Before he made any further advances, he rebuilt the castles of Flint and Rudhlan, which secured him an entrance at all times, and a retreat in case of necessity. As the Welsh were not able to stand against him, he advanced further, and drove them to the mountain of Snowdon, which was the usual sanctuary when pursued by the English. At the same time his fleet attacked the little Isle of Anglesey, which made but a slight resistance. Llewellyn finding it was not in his power to oppose so formidable an enemy, humbly sued for peace, which was granted on very hard terms. He was constrained to bind himself to pay fifty thousand pounds sterling, for the expences of the war. Moreover Edward having restored to him the Isle of Anglesey, it was agreed, that for the future, he should hold it of the crown of England, under the yearly payment of a thousand marks. He promised likewise to give entire satisfaction to David his brother, who had fled for refuge to the king, and delivered hostages for the performance of his word. The haughtiness of the prince of Wales being curbed by so mortifying a treaty, Edward was contented for this time with the honour of the victory. He generously restored the hostages in 1278, and forgave him the sums he was bound to pay. However, he caused a grant of the Isle of Anglesey to be made to him, which nevertheless he was not to enjoy, but in case Llewellyn died without heirs. After this, he delivered him up the lady he was contracted to, and even assisted at his nuptials. He created also David, brother to Llewellyn, earl of Denbigh, and to attach him to the interests of England, he gave him a rich English heiress to wife.

In July this year a parliament was held at Gloucester, in which the statutes, since known by the name of the Statutes of Gloucester were enacted‡.

In

made; and thenceforward nothing could prevail upon him to trust himself in the hands of a monarch, whom he looked upon as his sworn enemy. After several fruitless summonses, the king determined to take a more effectual method; but as he was willing to settle the affairs of the kingdom, before a war was entered into with his neighbours, he contented himself with citing Llewellyn before the parliament, which was to meet the beginning of the next year. The Welsh prince appeared not. He alledged in his vindication, that the king having shown, on several occasions, an extreme animosity against him, he could not trust his person with his declared enemy. Nevertheless, he protested, that he was ready to do him homage in his own country, if the king would send commissioners thither to receive it, or else in some third place, where he might be without danger. He offered moreover to come into the king's territories, provided he would let him have in hostage the prince his eldest son, with the earl of Gloucester, and the high chancellor. This arrogant answer served only to confirm Edward in the resolution he had taken.

† This statute was founded on the sixteenth canon of the second council of Lyons. After having been read in the presence of the bishops, justices, and others of the king's council, it was ordered to be made public, that people might have it in memory. By the sixteenth canon abovementioned, pope Gregory declared, "That all persons twice married, should be utterly deprived and incapable of all clerical privileges." He also forbid them, under a curse, "either to have or wear a clergyman's habit." Now by this statute of bigamy, which did not continue long in force, it was decreed and declared, that the above canon should be understood in this wise: "All those who are bigamists, even those who were so before the passing of the sixteenth canon of the second council of Lyons, shall have justice executed upon them as upon other lay-people."

‡ The Statutes of Gloucester added a farther degree of lustre to the municipal system of the English laws. They were

2 M

enacted



In the beginning of the year 1279, Ponthieu and Montreuil, fell to the queen, by the death of Joanna, queen of Castile, her mother, who was in possession of it. But to obtain of the king of France the investiture of that fief, he was obliged to confirm the treaty which the king his father had made, whilst he was detained in captivity by the earl of Leicester, and to renounce, as he had done, all claim to Anjou and Normandy, reserving only the yearly rent of thirty pounds out of the revenues of Normandy, apparently as an acknowledgment that it once belonged to his ancestors.

During the troubles of the late reign, the coin had been much altered and debased. It appearing upon information, that the Jews were chiefly concerned in this business, he caused all that were in the kingdom to be seized in one day, that the guilty might not escape. Which done, after a strict examination, two hundred and eighty of them were convicted of clipping and coining, or putting off false money; these received sentence of death, and were executed without mercy. Edward then ordered the money to be new-coined. The prodigious increase of the riches of the clergy and monasteries, had long been a subject of grievous complaint, without any one being able hitherto to find out an effectual method, to put a stop to a thing which was become so prejudicial to the state. Hereupon the barons, who had exacted from king John the charter so often mentioned, had taken care to insert a clause, expressly forbidding all persons to alienate their lands to the church: but this prohibition, as well as several others, had not been well observed. It was demonstrated to the king, that in process of time, if an effectual remedy was not immediately applied, all the lands would be in the possession of the clergy; and that every estate would at length be alienated to the church. Edward having maturely considered this affair, summoned the parliament, which met at Westminster in October this year, when he proposed the making a law to reform this abuse.

The proposal was received with joy, and the statute was enacted and passed into a law. It is well known by the name of the statute of Mortmain, because it was intended to prevent estates from falling into dead hands, that is, hands of no service to the king and the public, without hopes of their ever changing their owners\*.

The parliament met the following year 1280, with a view to redress another grievance, which, in the end, opened a door to a greater. During the troubles of the two late reigns, several persons had appropriated to themselves lands which belonged to others. The crown itself had been a sufferer by this means. In order to restore to every one his due, the parliament passed an act which in itself was very just. It imported, that all who were in possession of the contested estates, should be obliged to show how they came by them, and produce their title before the judges, in order to be examined into†. This regulation was just and necessary: but the king, misled by ill advice, and an avaricious desire of heaping up money, made use of it, contrary to the design of the parliament, to oppress his subjects. As he was sensible, says Rapin, that among the great number of people who held their lands of the crown, that many of them had lost their titles, he resolved to take advantage of their misfortune, under colour of putting the statute of *quo warranto* in execution. To that end he published a proclamation, enjoining all persons that held lands of the crown, to lay their titles before the judges of the realm. This proclamation was looked upon as the source of a very great grievance; and indeed, those that were attacked the first, and could not produce their original titles, though they proved a possession of a long standing, saw themselves constrained to pay large sums to the king, to have their estates continued to them‡.

The year 1281 shewed how discontented Llewellyn, prince of Wales was, on account of his being tributary to Edward; and his impatience to free himself from the yoke of the English, served only as a vehicle to facilitate

enacted, as the preamble says, "to prevent the great mischief, damages, and dissensions, which the people had before suffered, though default of the law in divers cases."

#### STATUTE of MORTMAIN.

\* "Whereas of late it was provided, that religious men should not enter in to the fees of any, without the licence and will of the chief laws of whom such fees be holden immediately; and notwithstanding such religious men have entered, as well into their own fees, as into the fees of other men, appropriating and burying them, and sometimes receiving them of the gifts of others, whereby the sources that are due in such fees, and which at the beginning were provided for the defence of the the realm, are wrongfully withdrawn, and the chief lords do lose their escheats of the same; we therefore, to the profit of our realm, intending to provide convenient remedy, by the advice of our prelates, earls, barons, and others our subjects, being of our council, have provided, made, and ordained, that no person, religious or others, whatsoever he be, that will buy or sell any lands or tenements, or under the colour of gift or lease, or that will receive, by reason of any other title, whatsoever it be, lands or tenements, or, by other craft or engine, will presume to appropriate to himself under pain of forfeiture of the same, whereby any such lands or tenements may otherwise come into mortmain. We have provided also, that if any person, religious or other, do presume, either by craft or engine, to offend against this statute, it shall be lawful to us, and other chief lords of the fee, immediately to enter into the lands so alienated, within a year from the time of the alienation, and to hold in fee, and as inheritance: and if the chief lord immediately be negligent, and will not enter into such fee within the year, then it shall be lawful to the next lord immediate of the same fee, to enter into the same land within half a year next following, and to hold it as before is said; and so every lord immediate may enter into such land; and if the next lord be negligent in entering into the same fee, as is aforesaid, and if all the chief lords of such fees, being of full age, within the four years, and out of prison, be negligent or slack in this behalf, we immediately after the year accomplished from the time that such purchases, gifts, or appropriations happen to be made, shall take such lands and tenements into our hands, and shall infeof others therein, by certain services to be done to us for the defence of our realm, saving to the chief

lords of the same fees, their wards, and escheats, and other services thereunto due and accustomed. And therefore we command you, that you cause the aforesaid statute to be read before you, and from henceforth to be kept firmly and observed. Witness myself at Westminster, the 4th day of November, in the seventh year of our reign."

† This statute from the English word warrant, was styled *quo warranto*, as much as to say, an act which serves for a foundation or security of the possession. So that the *quo warranto*, is properly a right to demand of any person, by what warrant or title he holds the estate in dispute.

‡ This grievance, says Rapin, would have gone much further, had not a stop been put to it by the courage of the earl of Warren. The earl having made his appearance before the judges, was required to show the title, by virtue whereof he held his lands. He made answer, by drawing an old rusty sword out of the scabbard, and saying to the judges, "This is the instrument by which my ancestors gained their estate, and by this I will keep it as long as I live." So bold an answer seemed likely to involve the earl in trouble; but it had a quite contrary effect. The king found by it how difficult it would be for him to pillage the nobility, on so frivolous a pretence, without falling into great inconveniences. He saw plainly, that there were still among the barons, those that were no less ready to run all risks in defence of their rights and properties, than they who lived in the time of John and Henry III. Besides, he knew from thence, how unjust his pretensions appeared in the eyes of the people, as indeed they were. These considerations having induced him to revoke his proclamation, the people expressed their joy at it in such a manner, as plainly showed how much they were provoked at this oppression. On the other hand, the king's moderation turned more to his advantage, than his injustice had done to his injury. His subjects cast on the ministry the blame of all that was odious in his conduct, and attributed to him the honour of having reformed what was amiss by his prudence. What glory before this prince had acquired by his victories, his conquest over himself upon this occasion, gained him more honour than all his warlike exploits. It is infinitely less glorious to a sovereign to subdue provinces and kingdoms which belong not to him, than to desist voluntarily from a pretension which is due only to the unreasonableness of.



his ruin. The first thing which engaged Llewellyn in this enterprize, was the restless disposition of his brother David. What precaution soever Edward had taken to secure his affections by heaping favours on him, this prince never ceased exhorting his brother to take up arms, in order to free himself from the English yoke. He thought himself particularly concerned in the matter, because, as Llewellyn had no children, he was his heir apparent. The second thing which made Llewellyn incline to war, was a prophecy of the famous Merlin. The Welsh fancied they saw in this prediction, that Llewellyn was destined to wear the crown of Brutus the first king, of the whole Isle of Albion\*. This notion had taken such deep root in their minds, and even in Llewellyn's himself, that they built upon it their future hopes of success and glory. The third thing which was alledged by Llewellyn, was founded on certain grievances, a list whereof he delivered to the archbishop of Canterbury, who was sent into Wales to endeavour to persuade him to peace. If these grievances, of which Walsingham† has given us the substance, were real, this prince had but too much reason to try to throw off the yoke under which he laboured. Edward refused to hearken to his complaints; which convinced Llewellyn, that a vigorous defence was the only means that could free him from a subjection, which he looked upon as a real servitude. He took up arms therefore in order to shake off this galling yoke, and having surprized the lord Clifford, the king's general, on the frontiers, he slew several of his men, and took him prisoner. After this he penetrated further into the English territories, where he committed great ravages, and defeated the earls of Northumberland and Surrey, who had been sent into those parts to put a stop to the progress of the Welsh army.

Edward, on account of his disappointment, drew together a numerous army, with a view to march into Wales, and curb the insolence of Llewellyn. Whilst his troops were on their march towards the borders of Wales, he paid a visit to the queen his mother, who had retired to Ambresbury nunnery. This princess, prejudiced in favour of the late king her husband, brought before the king a man who pretended to have received his sight at the tomb, and by the intercession of Henry III. she imagined the king would be pleased with it, but was much surprized to hear him say, that he was so well persuaded of the justice and probity of the late king his father, that he did not question in the least, but that if it had been in his power, he would rather have deprived the impostor of, than restored him to his sight. Edward's stay with his mother was but short; for he put himself at the head of his army, and entered Wales without any opposition, Llewellyn having retired to the mountain of Snowdon, where it was impossible to attack him. Edward not at all disheartened at this ob-

stacle, resolved to invest the enemy, by securing all the avenues, through which he might make his escape. To that purpose, after he had fortified all the posts, he caused a bridge of boats to be made over the river Mennai, opposite Bangor, that he might send a quantity of troops into the Isle of Anglesey. Foreseeing the blockade would be of long continuance, he left the management of it in 1283 to Roger Mortimer, and waited the issue of it in the castle of Rutland, which he had ordered to be built during the late war. Had Llewellyn remained in his secure retreat, he would, without doubt, have tired out the patience of his enemies, if an unexpected accident had not induced him to deprive himself of that advantage. Some of the English that were in Anglesey having passed the bridge above-mentioned, in order to view the country, were attacked by the Welsh, and so closely pursued, that the greater part were slain or drowned in endeavouring to regain the island. This small advantage made Llewellyn imagine, that heaven had begun to declare in his favour, and that the prophecy of Merlin was about to be accomplished. Possessed with those flattering hopes, he descended into the plain, in order to give the English battle, not considering the inequality of his forces. But he soon found how groundless his expectations were, since in the battle wherein he had rashly engaged, he was slain, after his army had been entirely routed. In his pocket were found some letters in cypher, by which it appeared that he held very good intelligence in England; but Edward did not think fit to examine strictly into the matter. However, to strike a terror into those that had held correspondence with this prince, he commanded his head, crowned with ivy, to be exposed to view on the walls of the Tower of London. Such was the end of Llewellyn; he was descended from Rhoderic the Great, and from one of the most ancient royal families in Europe. With him expired the liberty of his nation. The Welsh, discouraged by the death of their prince, and their defeat, and being no longer able to resist, Edward easily became master of their whole country, which he distributed, for the most part, amongst his officers and courtiers, reserving to himself only the sovereignty and fortified places.

Not long after the conquest of Wales, David, the brother of Llewellyn, who was roving up and down the country, had the misfortune to be taken by the English, and sent to Rutland, where the king still remained. In vain did he earnestly demand the favour of casting himself at the feet of the king to implore his mercy. As he was the last of his family, Edward was determined to secure his conquest by the death of that prince. Pursuant to this resolution, he ordered him to be conducted to Shrewsbury, where, by the advice of the parliament, which had been called upon the occasion, he was condemned to die the death of a traitor; *i. e.* to be hanged, drawn, and quartered. This rigorous sentence was put

\* See book 1. chap. 1.

† Powel, in his Chronicle of Wales, p. 336, gives us the following account of these grievances: "He pleaded that the king had retained several lands in Arcustly, between the rivers Divy and Divlas, and refused to give him satisfaction, unless he would suffer his cause to be tried by the laws of England, in direct violation of the articles of the late treaty: that the lord Gray, when appointed justice, had prosecuted the Welsh for some misdemeanors committed in the late reign, and of which they had been acquitted by the act of indemnity passed at the last pacification: that Rese ap Mayeton had been stripped of his lands and cattle, contrary to all the dictates of justice and equity: that many new customs had been introduced into the four Cantrades held by the king, notwithstanding the solemn assurances he had given, that nothing of that nature should be attempted: that the inhabitants of Anglesey were tried by the laws of England, in direct contradiction to the articles of peace: that prince Llewellyn was forced to pay sums of money to the queen and queen-mother, under the title of '*aurum reginarum*,' which was an intolerable grievance: that when his marriage was celebrated with Eleanor, the king had compelled him to sign and confirm a writing, by which he engaged, that he would never give shelter or protection to any person, contrary to the pleasure of Edward; a most unreasonable article, which

might deprive him of the assistance of his most faithful friends and servants: that the justices of Chester had levied a distress upon his goods, as an equivalent for the profits of a certain shipwreck, which he had seized in the course of the late war: that the king's officers, instead of administering justice to the Welsh with candour and impartiality, oppressed and imprisoned them out of mere wantonness and cruelty: and that the articles of the treaty in favour of himself and his subjects, were never observed, but grossly violated in almost every instance, by the very persons who were bound to see them executed, David complained that he had been stripped of certain towns belonging to the Cantrades, which had been conferred upon him as a reward for the many faithful and important services he had performed to the crown of England: that he was forced to answer suits concerning Welsh affairs in the king's court at Chester, contrary to the laws of the country: that the justice of Chester had destroyed his woods, oppressed his tenants, subjected the Welsh to an English jurisdiction, and haughtily rejected his remonstrances, when he demanded reparation for the injuries: that he was threatened in the king's court with the loss of his lands, cattle, and children: and that, in order to prevent such terrible calamities, he had been obliged to take up arms for his own safety and protection."



in execution with all the circumstances attending that infamous punishment. His head was fixed near that of the prince his brother, and his four quarters were sent to York, Bristol, Northampton, and Winchester. Thus the family of the princes of Wales became extinct. He also ordered all the Welsh bards to be collected together and put to death; from a firm persuasion, that he should more easily subdue the independent spirit of the people, when their minds ceased to be roused by the ideas of military valour and ancient glory, which were preserved in the traditional poems of these minstrels, and recited or sung by them on all public occasions and days of festivity.

Edward having secured the possession of Wales, sought means to prevent all accidents which might cause him to lose it again. The union of that country to the crown of England, seemed the most proper to that end; he therefore summoned a parliament, wherein it was resolved that Wales should be inseparably united to the crown\*.

The Welsh, notwithstanding their being united to the crown of England, failed not to show, on all occasions, their extreme regret. Some of them told the king, that he would never be in peaceable possession of their country, as long as they should not be governed by a prince of their own nation. This bold declaration induced the king to give them some sort of satisfaction; he proposed to give them for a prince, the son, whom he was in hopes his queen, then pregnant, would shortly be delivered of. And with that view he caused her to lie in at Caernarvon, a town in Wales, where, according to his expectation, she was brought to bed of a prince, in 1284, who was called Edward, and surnamed of Caernarvon, the place of his birth.

In the year 1285, the king took away the charter of London, and turned out the mayor, because he had suffered himself to be bribed by the bakers, and put in another by his own authority. But quickly after the city found means to have their charter restored, by making the king a present. This year the king called a parliament, which made some additions to the ancient statutes, by the name of the Second Statutes of Westminster. And this year also the abbey church of Westminster was finished.

In the year 1286, Edward ordered all the Jews in the kingdom to be seized, upon one and the same day;

\* Thus, says Rapin, the Welsh, those small remains of the ancient Britons, lost at length their liberty, after having maintained it in that little corner of the island, during the space of above eight hundred years. Surely, one cannot, without injustice, deny them the commendations due to the resolution and courage, wherewith they had till then defended their country. Destitute of all succours, without foreign alliances, and without a naval power, they had stood their ground against the kings of England, Saxons, and Normans, who had almost all of them attempted to subdue them with forces vastly superior. It is true, indeed, they had been often obliged to pay tribute to the English monarchs: but, however, that did not hinder them from being all along a distinct nation, and governed by their own laws. It was not by their valour alone that they preserved their liberty, but also by their politics, in dexterously fomenting the dissensions of their neighbours, till in the end, the time appointed for their losing that most valuable blessing, happened in the reign of Edward I. It may however be said, that if amends can be made for such a loss, they have had reason to sit easy under it, since they became one and the same nation with their conquerors. From that time they have all along enjoyed the same laws and privileges, which render the people of England the happiest nation under the sun." See Rapin, book ix.

† The motives which prompted Edward to undertake this voyage were, first, the demand which he made of the provinces which had been taken from the kings John and Henry III. concerning which, there was a long negociation. The second related to the homage he was to do to Philip the Fair, king of France, who had just succeeded Philip the Hardy, his father. The third was the accommodation which he undertook to bring about between the houses of Arragon and Anjou, concerning the kingdom of Sicily.

‡ This was a matter of vast importance, and was attended with great consequences at another time; it will therefore not

and they were banished, and their goods confiscated four years afterwards. About the middle of this year, Edward's presence was requisite in France, where he continued above three years†. Nothing very remarkable passed in England during his absence. The king finding his presence was not absolutely necessary in his kingdom, left the regency to the earl of Pembroke, and embarked for France. He earnestly solicited the restitution of the provinces taken from the crown of England by the predecessors of Philip the Fair; but his efforts proved fruitless. All the benefit he could get from this negociation, was a pension of six thousand pounds, in lieu of his claim to certain lands situated beyond the Charent, of which Philip kept possession contrary to the tenor of former treaties. Hereupon the two monarchs signed a new treaty, after which Edward did homage to Philip. Without specifying in his homage any particular country, he affected to include in it all those provinces to which he had any claim‡. Afterwards by the mediation of Edward, peace was made between the kings of France and Arragon.

After Edward had continued above three years in France, he returned to England in August, 1289. He immediately proceeded to reform several abuses which had been introduced in his absence, particularly in the administration of justice. Complaints were made to him from several parties, that the judges had suffered themselves to be corrupted with bribes; whereupon he strictly examined into their conduct, and severely punished the guilty; among whom was Sir Thomas Weyland, the chief justice, who was banished the realm, and his estate confiscated. These misdemeanors gave the king occasion to constrain the judges to swear, that for the time to come, they would take neither money nor present of any kind, except only a breakfast, which they might receive, provided there was no excess. An historian assures us, that the king got above a hundred thousand marks by the confiscation of the estates of those that had been faulty§.

In the beginning of the year 1290, Edward convened a parliament, wherein were made the Third Statutes of Westminster, and the banishment of the Jews was absolutely determined. The nation had long desired their expulsion; but the Jews had still found means to divert the blow, by large presents to the king and his ministers. They would have made use of the same method again,

be improper to recite the words of the homage at length:

"On Wednesday in Whitsun-week, in the fourteenth year of the reign of Edward, and in the first of Philip, at Paris, in a room of the royal palace, king Edward did homage to king Philip, in the following terms, spoken by the bishop of Bath and Wells. Sire, king of France, king Henry, father to my lord the king of England here present, made certain demands upon Lewis, king of France, your grandfather, whereupon a treaty of peace was concluded between them. Pursuant to that treaty, Henry did homage to your said grandfather, for the lands he actually held on this side the water, and for such as the said Lewis had obliged himself to put into his hands, by the above-mentioned treaty of peace. My lord king Edward here present, after the death of his father, did homage to the king your father, for these same lands, and according to the tenor of the said peace. And although my said lord might with justice, as several of his council are of opinion, refuse to do the same homage, because the said peace has not been observed, and because, to his great prejudice several attempts have been made upon the lands which he holds, nevertheless he is unwilling at present to enter into a dispute upon that account, provided you will cause the said peace to be kept, and the damages he has sustained to be repaired. I become your man for the land I hold of your on this side the water, according to the tenor of the peace made with your ancestors."

§ Speed has given us the names and the fines, viz. Sir Ralph Hengham, seven thousand marks; Sir John Lovetot, three thousand; Sir William Brompton, six thousand; Sir Solomon Rochester, four thousand; Sir Richard Boyland, four thousand; Sir Thomas Sudentone, two thousand; Sir Walter Hopton, two thousand; Sir William Saham, three thousand; Robert Littlebury, clerk, one thousand; Roger Leicester, clerk, one thousand; Adam de Stratton, thirty-two thousand.



but the king was not able to protect them without disobliging the parliament. Their real estates were confiscated, but they had leave to carry off the rest with them. It is the general opinion, that they began to settle in the kingdom in the reign of William the Conqueror: but some believe they settled here before that time. At first they were but few in number; but, by degrees, they had increased to fifteen thousand. Their money had procured them several considerable privileges, which Edward himself had confirmed, as the having a synagogue at London, a head of their religion, being a sort of high-priest, and judges of their own nation to hear and determine the suits they had against one another: these advantages were, however, lost by their unbounded avarice.

We are now come to the grand period of the reign of Edward I. the conquest of Scotland, in speaking of which we shall lay aside all party prejudice, as we have in the other parts of our History, and relate nothing but facts. To proceed: Alexander III. king of Scotland, had married Margaret, daughter of Henry III. king of England, and sister to Edward. He had by her three children, Alexander, David, and Margaret. David died an infant, and Margaret was married to Eric, king of Norway, in 1281. It was stipulated in the marriage contract, "that if prince Alexander died without heirs, and if the king his father should leave no male issue, Margaret his daughter should succeed to the crown of Scotland, and her children should enjoy the same right in case she died before the king her father." Shortly after Alexander having lost his only son, of the same name with himself, and the queen of Norway his daughter being likewise dead, after having brought into the world a daughter called Margaret, that prince resolved to perform the agreement above-mentioned. To that purpose, he obliged the Scotch barons to promise with an oath, that in case he died without male-heirs, they would acknowledge the young prince of Norway for their queen. Alexander lived not above two years after having thus settled this succession; his death was occasioned by a fall from his horse, ann. 1285. Upon his decease the Scotch chose six regents to manage the affairs of the kingdom, till the prince of Norway, who was but three years old, should be capable of holding the reins of government. It was not, however, till 1289, after Edward's return into England, that Eric sent ambassadors to him upon that occasion. Edward being Margaret's great uncle, Eric thought he could not do better than ask his advice and assistance, in order to place the young prince on the throne of Scotland. Immediately after having received this embassy, Edward wrote to the regents of Scotland, strenuously recommending to them the interests of young Margaret: and at the same time, telling them, that he designed to send ambassadors upon that account, that certain affairs might be settled relating to the welfare and tranquility of Scotland. But the regents thought it more proper to send plenipotentiaries into England, in order to adjust the matter with the ambassadors of Norway, in the presence of Edward. They carefully inserted this saving clause in the credentials of their ambassadors, "Saving the honour and liberties of the kingdom." The bishops of St. Andrews and of Glasgow, were commissioned to transact this affair. In this assembly it was agreed, that the young queen should be sent into England, free from any engagement of marriage. Edward promised on his part to take care of her, and see her educated, till Scotland should be in perfect tranquillity, and in a condition to receive her. He also gave his word, that he would not suffer her to be contracted in marriage, provided the Scotch would not do any thing of that kind without his consent, and that of the king of Norway.

Here let us observe, that ever since the death of the king of Scotland, he had been forming the project of uniting the two kingdoms of Great-Britain, by the marriage of the prince his son with Margaret. He had even already demanded and obtained a dispensation from the court of Rome, although he had not thought fit to make

known his design. After he had taken the measures above-mentioned, he sent ambassadors to propose the marriage to the regents. His proposal was taken into consideration by a council consisting of all the great men of the kingdom, which unanimously resolved to agree to it. It was, however, upon certain terms, which they were to lay before the first parliament that should be assembled in England. There were upon this occasion, several negotiations, the particulars whereof would serve only to swell our work, without affording any pleasure to the reader: suffice it to say, that the deputies of the two nations being met at Bingham, several articles were agreed upon, the chief of which, with respect to the sequel, were as follow:

I. The plenipotentiaries of Edward promised, in his name, that he would inviolably keep the laws, liberties, and customs of the kingdom of Scotland, in all things and in all times, throughout the whole realm, with all its marches.

II. That in case Edward the son, or Margaret the future spouse, should happen to die one or other of them, without having any children by their marriage, and in all cases or events, whereby the kingdom of Scotland, should fall to the next heir, he should be restored to the people of Scotland, free, independent, and without any subjection, saving, however, the rights of the king of England to the crown of Scotland, in case it should devolve to him, or his heirs, by a lawful succession.

III. That the kingdom of Scotland should remain separate, divided, and free in itself, without any manner of subjection to, or dependance on, England; saving to the king of England, and his successors, the right he had to certain lands on the frontiers, or elsewhere, before this agreement, or that which he should lawfully acquire hereafter.

IV. No person holding lands in fee of the king of Scotland, should be obliged to answer to any process out of the kingdom, according to ancient custom.

V. That all the subjects of the crown of Scotland, should enjoy the same privilege according to ancient custom.

VI. That all records, charters, and privileges, or other memorials concerning the royal dignity, and the kingdom of Scotland, should be deposited in a place of safety, without carrying them out of the realm, under the seals of certain lords, till the queen should come into the kingdom, and have children.

VII. That there should be made no subjection, alienation, or obligation, of any thing relating to the kingdom of Scotland, till the queen should be there in person, and have children alive.

VIII. That no parliament should be held out of the kingdom\*.

These, and several other articles, having been consented to and ratified, the marriage was concluded and resolved upon, to the general satisfaction of the two nations. Edward now began to take as it were possession of Scotland for the prince his son, by sending thither the bishop of Durham, who, jointly with the six regents, was entrusted with the administration of affairs, in the name of young Edward and Margaret. No one doubted but the two kingdoms of Great-Britain were about to be united by means of this marriage, when suddenly all hopes of an union vanished. Edward received a letter from the bishop of St. Andrews, acquainting him with the report of queen Margaret's death, and that some Scotch lords upon the news began to stir in asserting their right to the crown. The bishop earnestly intreated him to advance towards the frontiers, in order to prevent by his presence the commotions, which the queen's death, if found true, would cause in the kingdom. The report that was spread of her death, was but too well grounded; for the prince, whom the king her father had promised to send into England before the month of October, set out accordingly from Norway, and died in the Isle of Orkney, where she was constrained to put in for refreshment.

This news being spread in Scotland, it occasioned extraordinary

\* These precautions shew, the Scotch were far from believing that the kingdom of Scotland was then dependant on England.



traordinary commotions there, with threw the kingdom into a more wretched condition than it had ever been before. The late king, who took care to cause the great men to swear, that they would acknowledge Margaret of Norway for queen, had not had the foresight to settle the succession in case that princess died without heirs. They were, therefore, not a little embarrassed about the choice of a successor. This perplexity became still greater, on account of the factions which were formed in favour of the various pretenders to the crown.

Among the claimants to the crown, John Baliol and Robert Bruce divided almost all the suffrages of the kingdom between them. The first held large possessions in Normandy in France. The other had a considerable estate in England; and both were very powerful in Scotland, where their alliances procured them great credit\*.

It must be observed, that at the time of the death of Margaret of Norway, the three daughters of David, earl of Huntingdon, were not alive. But Deverguld, daughter of the eldest, was still living, and gave up all her right to John Baliol her son, who, as descended from the eldest of David's daughters, pretended that he ought to have the preference of all the rest of the claimants. On the other hand, Robert Bruce, son of the younger daughter alledged for himself, that he was one degree nearer than Baliol, since he was grandson to David, whereas his rival was but grandson to the daughter of the same prince. It was objected against him, that Deverguld being of the same degree of kin with him, ought to succeed, saying she was daughter to the eldest, whereas he was only son to one of the younger daughters of David. He replied, that where the degrees are equal, the males ought to be preferred to the females, and that this was the constant law and custom of all the states, for which he produced several precedents, taken from the histories of foreign countries. Thus stood the case, which could not be decided without displeasing one half of the kingdom.

The Scotch historians affirm, that things were in such a state, that it was impossible to find in Scotland impartial judges. They add, that supposing such judges could have been found, it would have been too difficult a matter to put their sentence in execution, by reason of the equality of credit and power in both parties. Baliol was lord of the province of Galloway, one of the most considerable of the kingdom. He was likewise supported by the family of the Cumins, which was very powerful, and of great interest. Robert Bruce held in England the earldom of Cleveland, and in Scotland those of Anandale and Garioc. Besides this, by means of Robert his son, to whom his wife had brought in portion the earldom of Carrick, he was allied to the most powerful families of Scotland. So that, continue they, in order to avoid a civil war, which could not fail to break out, it was agreed by the two parties, that the decision of this important affair should be left to the king of England. They believed they might expect all kindness from Edward, as well because of the good understanding which had long subsisted between the two nations, as in return for their compliance with regard to the marriage of the prince his son with their late queen. He was entrusted, therefore, say they, to be judge of

this dispute, and to assist the person he should think proper to place on the throne. They add, that Edward accepted the arbitration, and came to Norham, where he summoned the states of Scotland, protesting, that he assembled them not as sovereign, but as a friend, who desired them to meet the arbitrator they themselves had made choice of. But this is a fact which the English deny; they affirm, that Edward summoned the states of Scotland to Norham, not as a friend and umpire, but by virtue of his right of sovereignty over Scotland. They add, the bare consideration of the situation of Norham, which is a town in England, plainly enough makes appear, that Edward exercised an act of sovereignty, in convening the states of Scotland in his own kingdom. The Scotch reply, that this proof cannot take place, since upon this very occasion, Edward granted them letters patents, which entirely destroyed the force of it. His words are these: "That he did not intend that the coming of the Scots on this side the Tweed, should be any prejudice to them, or that for the future, upon any account whatever, they should be obliged to come and treat with him on this side the river." This express declaration, which seems to prove that Edward pretended not to the sovereignty of Scotland in fact, is only a proof of his policy or dissimulation, says Rapin; since it is certain, that his design from henceforward was to establish the right of sovereignty. As soon as this was once established, he stiled his letters patents, a pure concession, which he might revoke at pleasure, and which he actually did.

We shall now hasten to the decision of this famous process: but first it will be requisite to observe, that this affair includes in it two things, which are really distinct from one another; namely the right of succession to the crown of Scotland, and the right of sovereignty over the said kingdom, claimed by Edward. The former appears at first sight to be the most important, and the latter seems to be an incident which took its rise from the other; but this we shall find became the main point by the fatal consequences it was attended with. It must likewise be observed, that the following particulars are extracted from a journal, or verbal process, inserted in the Collection of Public Acts, made by Mr. John de Cadam, one of Edward's clerks or notaries.

The states of Scotland being met at Norham, May 10, 1291, Roger Brabazon, chief justice of England, speaking by the order and in the name of the king his master, who was present, told them, "That the king of England, taking into consideration the unsettled state of the kingdom of Scotland, had required the states to assemble in that place, in order to lay before them certain matters, tending to the preservation of the peace and tranquility of the kingdom; that he had no design to usurp the rights of any person, to stop the course of justice, or to infringe the liberties of the people of Scotland; but that as sovereign lord of Scotland, he was come to do justice to every one; and that this might be done the more easily, though what he claimed could not be justly disputed, he required the states to own him, over and above all right, sovereign and direct lord of Scotland; that then he would make use of their counsels to do what justice and reason required." The states were greatly surprized at this proposal, and demanded time to consult

\* For the better understanding the foundation of the titles of these competitors, it will be necessary to lay before the reader the genealogy of the royal family of Scotland, as far as relates to the present affair. David, king of Scotland, had but one son named Henry, who dying before him, left three sons, viz. Malcolm IV. who ascended the throne after his grandfather, and died without heirs: William, who succeeded his elder brother; and David, who was earl of Huntingdon in England. The race of William being extinct by the death of Margaret of Norway, there was a necessity of going back to that of David, earl of Huntingdon, third son of prince Henry. David died without male issue, but he left three daughters, Margaret, married to Alan of Galloway; Isabella, wife to Robert Bruce; and Ada, wife to John Hastings, an English

lord. Margaret, the eldest of the three sisters, left only two daughters, Deverguld, whom some call Eleanora, and Margery. Deverguld married John Baliol, by whom she had a son of the same name, who was one of the two candidates for the crown. Margery, who had been wife to John Cumyn, died without issue; Isabella, second daughter of David, had by Robert Bruce, a son named Robert from his father, who was the other candidate. Ada, third daughter of David, had left a son called John Hastings, who put in a claim likewise to the crown.

† The chief justiciary likewise told the assembly, "that the king had taken the greatest pains to collect proofs from all the ancient records and chronicles, to determine this important truth, namely, that the kings of Scotland had been



sult the absent bishops and barons, in order to return an answer suitable to an affair of such vast importance. Edward, in his turn, was surprized that the states should require time to prepare their answer. He said, "That he had reason to believe they were come ready prepared as to this matter, since they were not ignorant of his intention, and therefore he gave them only the rest of that day to consider of his demand." The next day, the states insisted upon more time, and the king granted them three weeks, reckoning from the 10th of May. During which time they were to prepare what they had to object against his pretensions, and to produce all the acts and monuments where they might think to invalidate his demand. Although, according to the time appointed by the king, the next meeting was to be held on the 1st of June, we find in the journal, only that of the 2d of the same month. The bishop of Bath and Wells was the speaker for the king; and he recited what had been done in the two former assemblies. After which he added, that as the three weeks which the king had granted to the states were expired, and that as they had not produced or alledged any thing to invalidate his right, his intention was to act by virtue of his acknowledged sovereignty over the kingdom of Scotland, as a sovereign, to do justice to the claimants.

The high chancellor having ended his speech, and taking his matter's right for granted, addressed himself first to Robert Bruce, and demanded of him, whether he would acknowledge the king of England for sovereign of Scotland, and receive from him, as such, the justice he sued for. The journal adds, that Robert Bruce answered in clear and express terms, that he owned the king of England for sovereign lord of the realm of Scotland, and consented to receive from him as such, the judgement that prince should think fit to pronounce. The same question being put to Florence, earl of Holland, and to John Hastings, lord of Abergavenny, they both made the same answer. After which, Patrick Dunbar, earl of March: William Ross, Walter de Huntercumbe, William Vesey by proxy, Robert de Pynkeny, and Nicholas de Soules, appeared and demanded to be admitted separately, to prove that the crown of Scotland was devolved to them by right of succession. The same question was put to them, as to the three first, concerning Edward's right, to which having returned the same answer, their petition was admitted. John Baliol being absent, his master of horse stood up, and alledging some excuse for his master's absence, demanded, in his name, that he might be heard the next day, which was granted him.

On the morrow, after the chancellor had made a recapitulation of all that had passed to that time, Baliol, who was present, was asked the same question as the rest of the claimants, and made the like answer. Which done, the chancellor protested aloud in behalf of the king: "That although the king of England acted on this occasion as sovereign lord of Scotland, yet he did not intend thereby to cut himself off from the hereditary right which he might have to the crown of that kingdom, or to exclude himself as to the propriety. That he expressly reserved to himself the liberty to prosecute his right, as well as the other claimants, in such manner, and at such a time as he should think fit." As soon as the chancellor had done speaking, the king repeated word for word the same protestation with his own mouth. Then John Cumin, lord of Badenoch rose up, and demanded leave to prove his lawful right to the crown. His request was granted, after he had, with the other claimants, acknowledged the sovereignty of the king of England. What related to Edward being thus settled, the claimants drew up a

writing, whereby they acknowledged him for sovereign lord of Scotland. This act was signed by all, and particularly by Robert Bruce and John Baliol, and sealed with their seals. As for the silence of the states on this occasion, Edward, without giving himself any farther trouble, construed their silence into an assent, and by that means became possessed of the sovereignty. The king now proceeded to represent to the claimants, that it would be to no purpose to give sentence in favour of any one of them, if it was not in his power to see it executed. Upon this foundation he demanded to be put in possession of the kingdom, that he might be able to deliver it to the person who should be declared king. To this the claimants consented, and signed an act according to his desire. In this act they owned the king of England for sovereign lord of Scotland, and in that quality, for judge of the process concerning the succession. They promised to hold for valid the judgement he should pronounce. They agreed he should be put in possession of all the castles of the kingdom, in order to restore it to him, to whom it should be awarded. They added, however, this condition, that he should be obliged to give it up again two months after judgement given, in the same state he had received it, except the homage which the new king should be obliged to do him for his possessions.

The next step which was taken, was to examine the process concerning the crown, to the end the king might know the grounds of their respective pretensions. To this purpose they agreed, that Baliol and Cumin, as well for themselves as for all the claimants, should nominate forty persons, and that Robert Bruce, in like manner, should chuse forty others, to examine into the rights of the competitors. That to these fourscore, the king should add about twenty-four more, and these commissioners, after having maturely examined all things, should make their report to the king accordingly.

In the assembly of the 5th of June, they did nothing but give in the names of the examiners which had been chosen. The next day the king commanded the examiners to appoint the time and place of meeting, in order to proceed to the enquiry. Berwick upon Tweed was the place agreed upon. But as they could not agree about the time, the king fixed it to the 2d of August following. There was another assembly at Norham, wherein the regents of Scotland resigned their patents to the king, and the governors of the castles their commissions, to be disposed of at his pleasure. Edward received, but returned them with the necessary alterations to make it appear that they governed in his name. The same day, he made the bishop of Caithness chancellor of Scotland, and joined with him in commission Walter Hamondesham an Englishman, one of his clerks.

On the 12th of June, Edward issued out orders to all that held any office in the kingdom of Scotland, to take the oath of allegiance to him; this was done that day by all that were present. The claimants took the same oath, after which they broke up till the day appointed for the meeting at Berwick.

On the 3d of July, Edward made the following protestation: "That although he had granted heretofore, that the affair of the succession should be tried in the kingdom of Scotland, yet he did not intend to bind himself to the same concession, if the same case should happen again, or on any other occasion."

The day appointed for the examination being come, the commissioners met at Berwick in the presence of the king, and received the petitions of the claimants in the following order:

Florence, earl of Holland, showed that he was descended from Ada, daughter of prince Henry, and sister to the kings Malcolm IV. and William.

"been dependant on the English monarchs from time immemorial, and had accordingly done them homage, except when they had taken advantage of the intestine commotions of the nation, or the reign of a weak prince, to withdraw

"their allegiance. The king was, therefore, intitled to decide this dispute, not in virtue of the reference made to him, but in the quality of liege lord of the kingdom."

Patrick



Patrick Dunbar, earl of March, founded his claim upon his being descended from Ilda, daughter of king William, and sister of Alexander II.

William Vesci asserted, that he was issue of Margaret, daughter of king William.

Robert de Pynkeny affirmed, that he came from Margaret, daughter of prince Henry, and sister of the kings Malcolm and William.

Nicholas de Soules said, that being grandson of Alexander II. by Margery, second daughter of the king, and the race of Margaret, eldest sister of his mother, being extinct, the crown was devolved to him as next heir.

Patrick Galythly founded his claim on his being grandson to king William, by Henry, son of that prince. In all appearance Henry, father of Patrick, was a bastard, since had he been legitimate, his son's title would have been indisputable.

Roger de Mandeville claimed the crown as son of Alfira, daughter of king William.

John Hastings maintained, that the kingdom of Scotland being divisible, ought to be shared among the descendants of the three daughters of David, earl of Huntingdon, the youngest of whom was his mother.

Robert de Rofs stiled himself issue of Isabella, eldest daughter of king William, and sister of Alexander II.

John Cumin derived his claim further back, namely, from Donald, formerly king of Scotland.

John Baliol set forth, that he was son of Deverguld, eldest daughter of Margaret, the eldest of the daughters of David, earl of Huntingdon, and that the race of king William being extinct, he was the next heir to the late queen.

Robert Bruce alledged, that he was one degree nearer than Baliol, because, he was grandson to David, whereas his rival was only grandson of his daughter. That Deverguld was in the same degree with himself; but that she could not claim the crown, because it was the custom that the males should be preferred before the females, in the same degree of consanguinity. To strengthen his title, he moreover added, that Alexander II. had declared him his heir in case he died without issue, and offered to prove it by living witnesses. He also maintained, that Alexander III. had always looked upon him as his presumptive heir, and that he had expressed the same to those with whom he was most familiar. These petitions being read, and the king, says the journal, willing to give the commissioners time to examine into them, appointed the 2d of June in the following year 1292 for another assembly, wherein the several claimants might more fully urge their respective rights.

On the day appointed, all the claimants, with the four-score examiners, repaired to Berwick, where Edward was present. At the first meeting ambassadors from the king of Norway appeared, and demanded the crown for the king their master, father of the late queen. Their petition was received, but not till they had acknowledged the king of England for direct lord of Scotland; and those of the other claimants were read, each in its turn, and the commissioners began to examine them. But Edward, says the journal, considering that this examination would be a long while about, and that it might be prejudicial to Scotland, proposed that they should begin with examining the titles of John Baliol and Robert Bruce, without prejudice to the others, which should be discussed afterwards. The first question which was put, was by what laws and customs they were to proceed in giving judgement, about which Edward would in the first place have the advice of the examining commissioner. After much debate, they told the king that they could not give him their advice, without further deliberation, and requested four and twenty English to be joined with them, as had been agreed. Notwithstanding this the question was left undecided, and Edward appointed the 14th of October following for the day of the first assembly.

The commissioners met accordingly at the time appointed, when Edward proposed three questions to them: 1. By what laws and customs judgement was to be

given? 2. How was he to proceed in case the customs of England and Scotland should be uncertain, or opposite to one another? 3. Whether judgement was to be given with respect to the kingdom of Scotland, otherwise than with regard to earldoms, baronies, and other fiefs of the crown of England? To the first they made answer; that in case there were found any certain laws or customs in the king's dominions, by them he ought to proceed. To the second, that if in his territories there was no certain law, he might establish a new one. To the third, that the kingdom of Scotland was to be judged in the same manner as other indivisible fiefs.

Upon these decisions Edward ordered Bruce and Baliol to be called, and demanded whether they had any thing to advance in support of the reasons alledged in their petitions. They replied in the affirmative, and Bruce began to speak first. His reasons were, 1. That the succession of a crown ought to be settled by the natural right by which kings reign, and not by the laws which subjects are judged by; and that, according to natural right, the next of kin ought to succeed. 2. That for the same reason, although private inheritances were divisible, and the eldest had some privilege by the law observed among subjects, it was not so with regard to a kingdom, to which the next heir ought to succeed without any division. 3. He maintained, that it had frequently happened in Scotland, that the crown had been awarded to the collateral branch, preferably to the direct, and that the succession, in the family of the eldest, was not so established, as that it should bring him any prejudice, since in that very kingdom brothers had several times been preferred to sons. 4. He took it for granted, that although he was in the same degree as Deverguld, he ought however to succeed, because he was the next male heir.

John Baliol next spoke, and founded his right on the genealogy of the royal family, and showed that he was descended from the eldest of the daughters of David, earl of Huntingdon, whereas Bruce came from the second. He replied to the reasons of his competition, and maintained, that the custom of England as well as Scotland was, that the descendant of the eldest daughter, though farther removed, was preferable to the next of kin descended from the younger. As to what Bruce had alledged about natural right, and the right of kings, he answered, that it was the business of the king of England to decide that, as sovereign, who held Scotland in dependence on his crown. As for the instances produced by Robert, of brothers preferred to sons, he affirmed that it had never been done in Scotland, but by usurpation and violence. That, when such a thing had happened, the kings of England, as sovereigns, had assisted the injured party, and had placed the son, the rightful heir, on the throne. He further advanced, in proof of what he had produced, the example of Edw. who William Rufus put in possession of the crown of Scotland, which had been usurped by Donald. Lastly, he maintained, that supposing what Robert had advanced was beyond dispute, he could receive no benefit from it.

The two claimants having finished, and their reasons having been examined, the king put the question in this manner: "Whether the more distant issue of the eldest daughter, was to be preferred to the nearer, descended from the younger?" The decision of the commissioners was, that according to the laws and customs of both kingdoms, the descendants of the eldest daughter were to be preferred. Notwithstanding this formal decision, the king willing to make it appear that he acted without passion and partiality, caused the same question to be debated again a long time in his presence, and appointed the 6th of November following, to pronounce the decisive sentence. On that day, Edward formally declared, that Robert Bruce's pretensions were ill-grounded, and that the laws allowed him no manner of right to the crown of Scotland. But the exclusion of Bruce did not necessarily import the admission of Baliol, since there were other claimants, so that the king ordered the examiners to hear the rest of the parties.



Robert Bruce, finding himself excluded by this sentence, declared that he had another right which he would take the advantage of, and justify in another form, the pretensions he had to part of the kingdom. Upon which, he presented his petition, which was admitted. John Hastings made a demand of the third part of the kingdom, but was rejected; and all the other claimants dropped their pretensions.

Baliol being now without a rival, Edward acknowledged that he was the only person that had a right to pretend to the crown. Accordingly Edward declared, that he should be put in possession of the kingdom, saving however to himself and his successors, the right of prosecuting their pretensions to the said kingdom, when they should think proper\*. Then he addressed himself to the new king and told him, that he ought to take care to govern his people with equity, in such a manner, that for default of justice, or any other reason whatever, he should not oblige his sovereign to make use of his right to redress grievances. After which he appointed Tuesday following for him to swear fealty, and the Christmas-Day after to meet him at Newcastle, to do homage. Edward then dispatched the necessary orders to put Baliol in possession of the kingdom; and the new king swore fealty to him November the 20th. In the oath, he acknowledged the sovereignty of the king of England over Scotland in very express and submissive terms, and caused an authentic act of it to be drawn up. He was installed at Scone with the usual formalities, and all the Scotch lords took their oath to him, except Robert Bruce, who was absent. After which he went to Newcastle upon Tyne, where he did homage to the king, in such expressions as it was not possible to add any thing to them to denote more fully his dependance†.

We may here observe with Rapin, that if the desire of reigning had caused Baliol to act contrary to the interest of Scotland, Edward's eagerness to establish his sovereignty over that kingdom, made him take a course diametrically opposite to his own, as well as to the interest of England. On an almost similar occasion, pope Innocent III. was careful not to let the English feel too soon the weight of the sovereignty, which he had acquired over them by the resignation of king John. He joined them to his yoke by degrees, lest he should alarm them too much. But Edward proceeded not in the same cautious manner with regard to the Scots; hardly was he in possession of the sovereignty he had so much wished for, but he made his vassals feel the whole weight of his power; and this rigour produced not the effect he expected. Far from contributing to keep that nation in subjection, it served only to fan the smouldering flax into a flame, and to cause them to seek measures to free themselves from the yoke he had unjustly laid upon them.

Before Edward left Newcastle, an opportunity offered to exert his new right, which he failed not to take hold of. A townsman of Berwick in 1203 having complained to him of an injury, which he pretended to have received from some English commissioners who had been sent into Scotland, Edward sent the affair into England to be tried there by his judges. The council of Scotland, looking upon this proceeding as a breach of the king of England's promises, sent some of their members to represent to him, that he had obliged himself not to draw out of the kingdom the affairs of the

Scots. Edward thought this remonstrance very ill-grounded, and replied, that the affair was of such a nature, that he could not permit it to be tried any where but in his own courts, since it belonged not to vassals to punish the misdemeanors of those that represented the person of the sovereign. If he had stopped there, the Scots might have flattered themselves, that this particular case would not be made a precedent; but the king's intention was otherwise. To prevent the like complaints for the future, he sent to the council of Scotland the following declaration: "That although during the vacancy of the throne, he had made the Scots some promises proper for that time, which he had punctually observed, he intended no longer to be bound by the said promises, since there was a king in Scotland, or to give up his right of trying all affairs relating to that kingdom, where and when he pleased." He repeated this declaration some days after in his own chamber, before Baliol and a great number of lords of both nations. After which he added, "That he claimed a right to summon the king of Scotland himself to appear in England, whenever he thought convenient." The warmth with which he spoke stopped the mouth of Baliol, who, being in his power, believed it not proper to make him any answer. But he did not come off so. Two day after he saw himself constrained to draw up letters patent, whereby he renounced for himself and successors, all the promises, concessions, and ratifications made by the king of England, during the vacancy of the throne of Scotland, and approved of whatever Edward had done during that time. In return for this renunciation, Edward gave him a writing, whereby he acknowledged, that he had no other right to the kingdom of Scotland but that of homage. Moreover he promised, for himself and successors, not to claim the guardianship of young nobles, or the privilege of marrying them as he pleased. Shortly after another opportunity offered, whereby Edward gave them a stronger proof of his intention to stretch his prerogative to its utmost boundary.

A merchant of Gascony put up a petition to him, wherein he set forth that Alexander III. late king of Scotland, was indebted to him in a certain sum, which was still due to him, notwithstanding all his solicitations to the new king for payment: that, therefore, he applied to him, as sovereign of the king of Scotland, for justice. Edward early embraced this opportunity of exerting his right, and summoned the king of Scotland to appear at Westminster the morrow after Ascension-Day, to answer in person to the complaints brought against him by the merchant. This first citation bears date the 8th of March, about two months after Edward's departure from Newcastle.

Eight days after he sent a second summons to Baliol, upon the following occasion. Whilst he was still at Berwick, he had given orders to the regents of Scotland to put Macduff, earl of Fife, in possession of certain lands to which the earl laid claim. These orders had been executed before the coronation of Baliol, whilst Edward was still master of Scotland. In the first parliament which the new king held at Scone, the earl of Fife was accused of unjustly taking possession of these lands, the custody whereof belonged to the king. Hereupon the parliament ordered the earl to be imprisoned. Some time after, the nobleman being set at liberty, carried his complaints to Edward; whereupon the king of

\* The decree in favour of Baliol was conceived in the following terms:

"The king of England, as superior and direct lord of Scotland, adjudged that the said John Baliol shall recover and have seisin of that kingdom, with all its appurtenances, according to the form of his petition, upon condition that he do rightly and justly govern the people subject to him, that none may have occasion to complain for want of justice; nor the king, as superior lord of the kingdom, upon the same suit of the parties, be hindered to interpose his authority in direction; a right which the king of England and his heirs always reserved in No. XX.

such cases, when he would make use of it. Dated at Berwick, 9th of November, 1292."

† The form of the homage was thus:—"Sire, my lord Edward, king of England, and sovereign lord of the kingdom of Scotland; I John Baliol, king of Scotland, become your liegeman for the whole kingdom of Scotland, with its appurtenances, which kingdom I claim and hold, and ought of right to hold, for me and my heirs, kings of Scotland, hereditary, of you and your heirs, kings of England, of life and limb and true honour, against all men that may live and die." Vide Rymer's *Fœdera*, tom. II. p. 593.



Scotland was again summoned to appear before Edward, wheresoever he should be, the day after Trinity-Sunday.

The 15th of June following, the king took a fresh occasion to summon Baliol upon another account. Whilst he was at Newcastle he had ordered Walter de Huntercomb, governor of the Isle of Man, to put Baliol in possession of the Isle, the which was accordingly done. Shortly after a lady named Aufrica, who laid claim to that isle, demanded it of the king of Scotland, and her demand being rejected she complained to Edward. Upon her complaint, Baliol was again cited to appear in person fifteen days after Michaelmas, in what place soever the king should then be. The sheriffs of Northumberland were ordered by Edward to notify this summons to the king of Scotland himself before credible witnesses.

A few months after Baliol received another summons, upon the following occasion: David, king of Scotland, had formerly granted to the monastery of Reading, in England, a certain priory, held at the bishopric of St. Andrews. Afterwards this priory had been alienated by the abbot of Reading to the bishop of St. Andrews. The successor of the abbot, willing to recover the priory, pretended that the alienation had been made against the consent of the majority of the monks, and thereupon put up a petition to the king. The bishop being informed of it, appealed to the pope, and his appeal was admitted by the court of Scotland. Upon the complaints made to Edward by the abbot of Reading, about the admitting of the appeal, Baliol was again summoned to appear in person fifteen days after the feast of St. Martin.

In the following year, 1294, Edward took occasion to treat this prince in the same haughty manner, by commanding him to appear before him in order to answer for himself, for having refused to do justice to the bishop of Durham, in an affair relating to his diocese\*.

The repeated instances of ill-usage which Baliol met with from the king of England, particularly when he was before the English house of parliament, made him seek an alliance with France, in order to be revenged of the tyrannical Edward. About the same time, anno 1295, a war broke out between France and England; and Baliol became more in hopes of freeing himself from the English yoke. A private quarrel between some English and French mariners, was the occasion of this rupture. At the same time it gave the king of France a handle to summon Edward before the court of peers, and an opportunity to take from him Guienne by a stratagem. Before they came to an open war, Edward endeavoured by way of negotiation, to recover that duchy from the king of France. But Philip, who was not ignorant of the king of Scotland's designs, prolonged matters till that prince should have declared his intentions. During the negotiation, Baliol sent ambassadors to France, on pretence of renewing the ancient alliance between the two nations; but his real design was to enter into a strict union with Philip, by the marriage of Edward his son with a daughter of the earl of Valois, brother to that monarch. How privately soever this negotiation was carried on, Edward had intelligence that some plot was contriving against him at Paris; and to prevent the designs of the king of Scotland, he demanded of him the castles of Berwick, Jedburgh, and Roxborough, promising to restore them as soon as matters were made up with France. But without rejecting entirely this demand, Baliol found means to gain time, whilst he continued to take measures to throw off the yoke of the English. As soon as his ambassadors had concluded with France the league he had proposed, he thought it time to declare his mind. He was earnestly solicited to it by Philip, who knowing that Edward was preparing for war, was desirous to raise him troubles at home,

which might hinder him from thinking on means to recover Guienne. Baliol had been a long while in suspense on account of the oath he had taken to the king of England. But to remove this scruple, Philip had procured the pope's dispensation for him, by which he was absolved from his oath. Whereupon, finding himself secure from the church's censures, and having no further uneasiness on account of his oath, he resolved to proceed. Edward, surprised at this resolution, which quickly came to his knowledge, formed a design of relinquishing his affairs in France, and employed his preparations against Scotland. He considered that Baliol's revolt, gave him a plausible pretence to make himself master of that kingdom; the conquest whereof would be to him of much greater importance than the recovery of Guienne. Instead, therefore, of his embarking his army for France, as he had intended, he marched directly for Scotland. In the mean time, Baliol, who depended upon the assistance the king of France had promised him, sent to the king of England the superior of the Cordeliers of Roxborough, to deliver a letter into his own hand†. On the perusal of this letter, Edward became the more exasperated, and continuing his march towards Scotland, and perceiving his affairs in France were in a very ill situation, he resolved to make a conquest of that kingdom, as the English historians confess on this occasion. Here we may fix the beginning of the long war, which bred in the hearts of the English and Scots a mutual animosity, which time has not been able to extinguish in the minds of the vulgar even at this day.

Edward, in 1296, having advanced as far as Newcastle, with a design to besiege Berwick, sent a fleet to sea, with orders to prevent any approaches to the city which he intended to besiege. But the fleet was surprised by the Scots, who burnt and sunk eighteen ships. About the same time, they gained an advantage over some English troops, who advanced in order to seize a certain post. The English lost upwards of a thousand men. This success, which elevated the king of Scotland, served only to stir up Edward to revenge, and put him upon exerting his utmost to subdue a people who appeared so resolute to shake off his yoke. Edward, well knowing that Bruce had not acquiesced but by force in the judgement pronounced in favour of Baliol, made him an offer of the crown, provided he would declare against Baliol. Bruce accepted the offer with joy, and strengthened Edward's party with a great number of friends, who had not sworn to Baliol but upon a motive of fear. Having taken these measures, Edward entered Scotland, and laid siege to Berwick, which he became master of by the following stratagem: After he had assaulted the town several days, he suddenly raised the siege. At the same time, by means of some soldiers who pretending to desert, threw themselves in the town, he caused a rumour to be spread, that the approach of the king of Scotland, who was hastening with succours, obliged him to retire. This rumour was quickly followed by the false news of Baliol's being but a league off ready to enter the town. Upon these forged advices, the soldiers and burghers sallied out in crowds to meet him, imagining that Edward was already at a good distance. The multitude without a leader, being fallen into an ambush, and endeavouring to retreat with precipitation, were so briskly pursued, that the English entered the town and made a great slaughter. It is affirmed that above seven thousand Scots perished in this action.

Edward being thus master of Berwick, marched towards Dunbar with design to besiege it. He was but just arrived before the town, when he received intelligence that Baliol was approaching at the head of a numerous army. Though he had not expected that the

\* Copies of the above summonses may be seen at length in the Collection of Public Acts, tom. 11. p. 605, 606, 608, 615.

† This letter complained of the frequent injuries he had

received from him, of the many summons issued upon very slight occasions, and the bare petitions of private persons; and lastly, declared to him, that he would be no longer his vassal.



Scots could be ready so soon, he gladly received the news, in hopes of obtaining a victory which would render him master of the whole kingdom. Baliol advanced on his part with equal ardor, resolutely bent upon deciding by one battle, whether he should be a free man or a slave. The two armies coming to an engagement, fought a great while with equal bravery, though not with the same fortune. The Scots found themselves at length constrained to give ground, after having lost the best part of their troops. Their loss in this action is said to amount to above twenty thousand men; a loss so great and disheartening, that they were not able for a long while to oppose the progress of the conquerors. After this victory, Edward marched back to Dunbar, whose gates were opened to him. He then marched to Roxborough, which he became master of with the same ease. After this he approached Edinburgh, the castle whereof surrendered in eight days. He then seized Sterling, Perth, and all the considerable places of the kingdom: and before the end of the campaign, Baliol and the nation submitted to his mercy. Upon this condition he granted them peace. The king of Scotland went to him at Kincardin, and appearing before him with a white rod in his hand, he resigned his kingdom to him, to be disposed of according to his pleasure. This resignation was drawn up in form, and signed by Baliol, and the greatest part of the barons of Scotland, and sealed with the great seal of the kingdom. To confirm this new acquisition, Edward ordered the states of Scotland to assemble at Berwick, where all the nobility and those that had any posts in the kingdom, swore fealty to him, and delivered up all the castles and places they were still in possession of. Among the Scotch nobles, the earl of Douglas was the only person that refused to swear to a prince who had no right to the sovereignty of Scotland, but what force had given him. His refusal drew on him the indignation of Edward, who having commanded him to be conducted to England, kept him in close confinement, where he ended his days, without his misfortunes being ever able to bring him to acknowledge Edward for his sovereign. Baliol was likewise sent into England and shut up at first in the Tower of London: but afterwards he was removed to Oxford, where, says Rapin, he founded the college which bears his name\*. Other Scotch lords, whom Edward judged necessary to secure, were shut up in several prisons in England, and if some were permitted to have their liberty, it was on condition that they should keep in the southern parts, without passing the Trent upon pain of death. He might easily have been crowned king of Scotland; but his intention was not that the two kingdoms should continue any longer divided. He had a mind to unite Scotland to England, as he had done Wales, and to make but one kingdom of the whole island of Britain. This evidently appeared from his removing into England the crown and scepter of Scotland, with the rest of the ensigns of royalty, and every thing which might show the least signs of the liberty the Scots had hitherto enjoyed. But it was not so easy a matter to blot out of their minds, the remembrance of that liberty. He did not forget to cause the famous stone, on which the inauguration of their kings was performed to be conveyed from Scone. The people of Scotland had all along placed in that stone a kind of fatality. They fancied that whilst it should remain in their country, the state would be unshaken,

\* This however, proves a mistake, for Baliol college was founded in the reign of Henry III. by John Baliol of Bernard-castle, who was father to John Baliol the king. He only laid the design of it, and settled yearly exhibitions upon some scholars, and at his death, 1269, he recommended his pious project to Deverguld his wife. She settled the exhibitioners in a tenement which she hired in Horimangers-street, now Canditch, in 1282. Afterwards, in 1284, she purchased Mary's-hall, near the same place, and settled the society there by her charter, confirmed by her son John Baliol, the king; and by Oliver, bishop of Lincoln.

but the moment it should be removed out of it, great revolutions would ensue. For this reason Edward had taken it away, that he might make the Scots believe the time of the dissolution of their monarchy was come, and put them out of hopes of recovering their liberty†. But how much soever they were attached to this famous stone, they had a greater loss on this occasion. The burning their records, which was done by Edward's orders, was to them and their posterity a loss which time could not repair. Besides these precautions, Edward secured his conquest, by placing English garrisons and governors in all the castles; and having left John Warren, earl of Suffex, to command in Scotland, he returned in triumph to England.

Edward next turned his thoughts towards compelling the French to give him satisfaction for the disturbances they had caused in Guienne. Every since the treaty concluded between Lewis and Henry III. the two nations had lived in friendship and amity; when a quarrel between two persons of little consideration proved the occasion of the two monarchs taking arms. A Norman pilot, and an English mariner, having fallen out in a port of Guienne, where they had landed, the pilot was killed. Whether the magistrates of the port neglected to bring the murderer to justice, or whether he was not in their power, the Normans finding that the murder of their countryman was left unpunished, resolved to be revenged. To that end, they surprised an English vessel and hung up the pilot at the yard-arm. These reprisals drew on others on both sides, so that the English and Normans made fierce war upon one another, whenever they met, even to the plundering one another's ships when it was in their power. These bickerings among the people continued a long time. but the two kings were not concerned in the quarrel. It happened, however, that some English ships having met a Norman fleet laden with wine, they carried them to England. The proprietors having complained to the king of France, he demanded the restitution of the fleet, and immediate satisfaction for the outrage. Edward not being in haste to return an answer, Philip the Fair, who was naturally of a haughty temper, summoned him to appear in person before the court of peers, to answer to the complaints made against him. This summons was issued in 1294, about the time when Edward cited the king of Scotland for very trifling matters, to appear before the English parliament as above related. The French historians say, that Edward not appearing, but sending to Paris Edmund his brother in his stead, Philip, who was not satisfied with that, dispatched the constable de Nesle into Guienne, where he seized upon Bourdeaux, with all the remainder of the province.

Edward having been summoned before the peers, did not think proper to appear in person. He sent prince Edmund his brother to Paris to answer for him, with orders to avoid the engaging in a war with France. Accordingly the prince was fully impowered to give the king of France all the satisfaction he could reasonably desire. Edmund found the French monarch extremely incensed, and lavish in his threats. After several instances to enter into a treaty, his negotiation seeming to him entirely fruitless, he resolved to return home. When he was ready to set out, the two queens, namely, Mary of Brabant, widow of Philip the Hardy, and Joanno of Navarre, wife of the present king, intreated

† Kenneth, king of Scots, having made a general slaughter of the Picts, near the monastery of Scone, placed a stone there inclosed in a wooden chair, for the inauguration of the kings. It had been brought out of Ireland into Argyle, and king Edward caused it to be conveyed to Westminster. On it was engraven this distich:

*Ni fallat Fatum, Scoti, quocunque locatum  
Inveniunt Lapidem, regnare tenentur ibidem. Camd.*  
Or Fate's deceiv'd, and Heaven decrees in vain,  
Or where they find this stone, the Scots shall reign.



him to renew the negotiation with them. The great desire they expressed of procuring a firm peace between the two kings, and the orders Edmund had received from the king his brother, easily induced him to consent to their proposal. The two queens represented to him, that Philip was extremely exasperated at the affronts he had received from Edward's subjects, and particularly from certain persons of Guienne, against whom he was incensed to the last degree: that therefore it was impossible to come to an agreement, unless a reasonable satisfaction was made him. They added, as the king's honour was concerned in this affair, and that there was no other way to appease him, but by Edward's making him a public reparation, which would let all the world see, that he disclaimed what had been done by his subjects. To that end they proposed that Xaintes, Talmont, Puymiol, Penne, and Montfauquin together with the persons complained of, should be delivered up to Philip. But as this reparation seemed unreasonable, they gave Edmund to understand that it was only for form sake, and that Philip would oblige himself to restore back the towns and persons, upon their intreating him so to do. They also promised, that as soon as the king's honour should be secure by this satisfaction, he would revoke the summons, and give Edward a safe-conduct to come to him at Amiens, where he would receive his homage. Edmund consented to all these proposals, provided the two queens would sign a writing which should be drawn up, and promise with an oath, that the particulars agreed upon should be punctually performed. This treaty, which was signed by the two queens, and which for the sake of the king of France's honour was to be kept secret, was sent to Edward, who appeared very well satisfied with it. Thus Edward acted like a wise politician; and whilst this affair was negotiating at Paris, he made himself master of Scotland. Finding therefore that the French King was satisfied with an outward show of reparation, he resolved to give it him more fully than he himself desired, that he might the better secure a peace with France. With this view he gave Edmund power to deliver up to the king of France, all Guienne with its metropolis, and sent positive orders to the seneschal to obey whatever the prince should command him without any exception.—Edmund having acquainted the king of France with the orders he had received, let him know that he was ready to put them in execution; but on condition that in the presence of credible witnesses, the king would promise with his own mouth, to perform the articles of agreement signed by the two queens. Philip was very willing to give him that satisfaction, and going into a certain room attended by the duke of Burgundy, he gave his royal word, before the duke, the two queens, Blanch of Navarre wife of Edmund, and the English ambassadors, to perform that treaty. At the same time, he revoked with his own mouth Edward's summons, and ordered the revocation to be published before the whole company by the bishop of Orleans. Edmund thinking he had made all sure on that side, gave orders to the seneschal of Guienne, to deliver up the dukedom to the person that should be empowered by the king of France. Ralph de Nesle, constable of France, was commissioned to take possession of Guienne in Philip's name. The seneschal would have proceeded with caution, and not delivered up the province but upon the terms of the treaty, which Edmund had informed him of. But the constable refused to be tied to any conditions, alledging

he knew nothing of the treaties which might be made between the two kings, and had orders only to take possession of Guienne in his master's name. After which, he demanded that the persons agreed upon should be put into his hands, and ordered them to be carried to Paris.

All the articles being performed on the part of England, Edmund demanded the restitution of Guienne, and of the persons stipulated in the secret treaty. To which it was answered, that his demand should be examined into by the king's council. At the same time Philip sent him word, that he should not be surprized, if he gave him a somewhat rough answer before the council, on account of some members who were not in the secret, but as soon as they should go out, he would give him entire satisfaction. Edmund, depending upon his word, appeared before the council, where Philip was present, and demanded the restitution of Guienne; to which that monarch roughly replied, he would not restore it. This answer not having surprized the prince, who expected it, he withdrew into the next room, waiting for the performance of the king's promise, and they let him stay there some time, without giving him any other answer. At length, the bishops of Orleans and Tournay went to him and acquainted him, that it was in vain to wait any longer, for the king would not be solicited any more about that affair. Some days after, Philip came to the parliament, without having acquainted Edmund with it, and ordered the king of England to be publicly cited to appear, and answer to the articles exhibited in the summons. Edmund not being then in the palace, Hugh de Vere, and Henry de Lacy, Edward's ambassadors, said, that they could not have imagined that this affair could be decided justly, but according to the treaty which had been made, especially considering that the summons had been recalled. This excuse not being admitted, they were dismissed; and although they demanded only till the next day, that they might consult with the king's brother, they could not obtain that favour. So the court decreed the confiscation of Guienne to the king of France\*.

Notwithstanding Edward's disapprobation of Philip's treacherous behaviour, he chose rather to leave Guienne in the hands of that prince, than to relinquish the war with Scotland, which to him seemed of greater moment. The French boast of having gained a battle under the earl of Valois, which action, without doubt, was of but little importance. The superiority, however, of the earl of Valois's forces, constrained Edmund to shut himself up in Bayonne, where he died in 1296†.

It was not in Gascony that Edward intended to exert his utmost against France. He was sensible, that it would be a difficult matter to recover a province so remote from England, and where he had no place but Bayonne left. The earl of Flanders at this time was in such a state, that he was obliged to seek for protection against France, and he could find none either so near or so ready as that of the king of England, who burned with desire to be revenged. The earl's dissatisfaction was no secret to the keen and penetrating eye of Edward, who the better to form an alliance with that prince, demanded his eldest daughter in marriage for prince Edward his son, judging that this would be an infallible means to bind him strongly to his interests. This negotiation, though secret, came to Philip's knowledge, and gave him great uneasiness. But he took no notice of this matter, lest by so doing he should deprive himself of the

\* On account of the perfidy of the king of France, the English ambassadors received orders to revoke the homage done by Edward to Philip; which was accordingly done in this form: "Sir, our lord the king of England, lord of Ireland, and duke of Aquitaine, did you homage conditionally, namely, according to the form of the peace made between your ancestors and his, the which you have not kept. Moreover, that all differences between your subjects and his might be ended, a secret treaty was made between you and my lord Edmund his brother, as you may remember, wherein were contained

certain articles which you have not performed, though he has done more than was promised on his part. He has requested you twice by his said brother, and a third time by the peers of France, and other great men of your kingdom, to restore him his land of Guienne, and to deliver up those of his subjects whom you detain in prison, the which you have refused. And therefore it seems good to him that you no longer count him for your vassal; accordingly he refuses to be so for the future."

† He was afterwards buried in Westminster-Abbey.



means to prevent an alliance so prejudicial to France. To compass his ends, he appeared to know nothing of what was doing; and having, upon some pretence, drawn Guy and his countess to Paris, he kept them prisoners. It was a kind of favour that he would give them their liberty, on condition they should deliver up their daughter in hostage, and oblige themselves to break their alliance with Edward on pain of excommunication. Guy was no sooner in his dominions, than he practised all manner of ways to get his daughter out of Philip's hands; but it was impossible to succeed. Philip was too apprehensive of the earl's union with England, voluntarily to let go the pledge he had in his power.

During these transactions, the affairs of Scotland, which wholly engrossed Edward, afforded him neither leisure nor opportunity to think of the war, he had projected against Philip. But as soon as matters were ripe, he turned his thoughts to revenge. Philip's fraudulent proceeding being an affront which could not easily be forgotten, he put a great restraint upon himself, in delaying thus long to find means to make him repent of it. However, as he was about to deal with a potent adversary, it was necessary that he should have on foot a powerful army, which England alone was not able to provide him with. With this view he sought means to form beyond sea a formidable league against France; and although it seemed a difficult matter, he failed not, however, to bring it about. Besides the earl of Flanders, whom he gained without much trouble, Adolphus of Nassau, lately elected emperor; Albert, duke of Austria, the archbishop of Cologne, and several other princes of Germany, the duke of Brabant, the earls of Holland, Juliers, and Luxemburgh, were engaged in the league, by the great sums Edward was to furnish them with. All these princes, proud of their numbers and strength, sent a defiance to Philip at Cartels, of whom he was offended with none so much as with the earl of Flanders, who being his vassal, plainly told him, he would no longer acknowledge him for sovereign.

In 1297, whilst Philip was preparing to repulse this attack, Edward endeavoured to procure the money he stood in need of, by reason of his engagements with the confederate princes. To this end he assembled a parliament at St. Edmundsbury, and obtained a subsidy of the eighth part of the moveables of the citizens of London, and a twelfth of the rest of his lay subjects. But their example could not influence the clergy; who pretended, they were exempted from giving any aids to the king, by virtue of a bull \* which Boniface VIII. had sent the year before, to the archbishop of Canterbury, and that the archbishop had kept it by him without making it public. Shortly after Edward was opposed by the barons, who showed a more steady resolution than the bishops, though against the same prince. To bring about the grand design he was projecting, he had assembled the nobility at Salisbury, on purpose to see exactly what troops each baron could furnish him with. His intention was to make a powerful diversion in Guienne, whilst he should press the enemy on this side of Flanders. But he had much ado to find lords who would serve in any place but where he commanded in person. Every one desired to be excused serving in Guienne, though they were willing to furnish the quota

of troops to which their fiefs obliged them. Edward was not satisfied with their excuses, and therefore threatened to give their lands to such as would be more obedient. These menaces raised great commotions among the nobles; who were far from thinking that their lands were at the king's disposal. Humphrey Bohun, high-constable, and Hugh Bigod, earl of Norfolk and grand marshal, were more hardy than the rest, and positively asserted, that they were ready to follow him where he should command in person, and no where else. The grand marshal added, he was willing to lead the vanguard under the king as his office obliged him; but he would not serve under the command of any other, to which no man had a right to compel him. The king answered in a great passion, "That he would make him do it." To which the other calmly replied, "You shall not." "By the eternal God, said the king, you shall march or be hanged." "By the eternal God, replied the earl, I will neither march nor be hanged;" and immediately withdrew without returning any more to court.

The frequent and fatal instances of the insolence of the barons, during the reign of Henry III. convinced Edward how closely they united when they wished to defend their privileges, so that he dared not hazard his reputation and quiet, in a war against them. In the disposition the barons were in, it was scarce to be doubted, but they would have united against him, in case he should have proceeded against those who boldly opposed him. He had still greater reason to be confirmed in this opinion, when he heard that, dreading his resentment, they began to raise troops in their defence, in case he had designed to attack them. Not long after he turned those two noblemen out of their posts, because they refused to do something relating to their offices, for fear of falling into his power. On this account, when he was about to embark, he received from the bishops, earls, barons, and commons of the realm, a long remonstrance, containing a list of the grievances of the nation, and the several violations of the Great Charter. This proceeding made him sensible that he must act with deliberation, and caution, lest he should provoke a nation which seemed ready to take fire upon the first occasion that might offer. He returned therefore a mild answer to the remonstrance, promised, upon his honour, to redress when he came back, all the abuses complained of. He entreated the nobles to sit down in quiet during his absence, assuring them, that he would give them entire satisfaction. He also published a proclamation† to justify his conduct, and show the reasons which had induced him to turn out these two great officers. Amongst other things, he said in his proclamation, that he had been informed his people were made to believe, that he had refused to receive remonstrances tending to the good of the public, which he affirmed to be without foundation. He expressed likewise great sorrow, for having put his subjects to vast expence for the maintenance of the wars he had been engaged in, and desired his people to excuse what necessity had constrained him to do, promising to see the Great Charter punctually observed for the time to come. He was as good as his word shortly after. The prince his son, whom he had left regent, having assembled the parlia-

\* By this bull all ecclesiastics were expressly forbidden to pay any taxes to secular princes without the consent of the holy see. The clergy's refusal extremely offended the king. Nevertheless, before he proceeded to violent methods, he caused it to be represented to the principal members, that since they were in possession of fiefs in the kingdom, and enjoyed the protection of the laws, as well as the rest of his subjects, it was but reasonable they should contribute to the public expences; but these remonstrances answered not his purpose. When he found he could not prevail with them, he commanded all the lay fees possessed by the clergy to be seized, and their whole body to be thrown out of the protection of the laws, expressly forbidding his judges to do them justice, in any case whatever. This bold step astonished the clergy, who never had experienced the like resolution, in any king of England. No. XXI.

Some of them, however, compounded with the king, for the fifth part of their goods, and their example drew over the rest. The archbishop of Canterbury was treated more severely, as he was not only the first adviser of the clergy's refusal, but persisted in it more obstinately than the others. The king ordered all his estate to be seized, with the revenues of the monasteries of his diocese, and put the management of them in the hands of officers, who left the monks no more than what was necessary for their subsistence. In all appearance, this was done to punish them, for having too warmly espoused the part of their archbishop. The king's resolution at length made that prelate stoop, who, to recover the good opinion of his sovereign, gave him a fourth part of his goods.

† This proclamation may be seen at large in the Collection of Public acts, ii. p. 785.



ment which granted him a large subsidy, confirmed the two charters of king John, by an authentic act, which was signed in Flanders by the king himself, and sealed with the great seal which he had carried along with him.

During the time Edward was employed at home in making preparations to support the league he had formed against France, Philip was no less busied in seeking means to repulse the blow preparing against him. He strengthened himself by alliances with the kings of Castile and Arragon, and raised a powerful army, whilst Joanna, queen of Navarre, his wife, was drawing together her own forces to assist him. Champagne, which belonged to this princess, was first attacked by the earl of Bar, one of Edward's allies, who ravaged that province. But the sequel of that undertaking was as fatal to the earl, as the beginning had been prosperous. Upon the queen's approach, who was advancing to defend her country, the earl, seized with fear, was compelled to surrender to that princess, who sent him prisoner to Paris.

The confederate princes delayed to send their troops into Flanders. Adolphus of Nassau, detained by troubles which Philip had raised him in Germany, or as some affirm, by presents, could not, or would not perform what he had promised. The duke of Austria was bribed by the same means, and the dukes of Brabant and Luxemburg, the earls of Guelders and Beaumont, followed their example. Philip, seizing this opportunity entered Flanders at the head of sixty thousand men, and immediately laid siege to Lisle. Guy, who impatiently waited for succours from England, was not able to stand against the king of France, not having half the forces he was led to expect. Hereupon he endeavoured to break Philip's measures by a diversion, under the conduct of the duke of Juliers. When the king of France heard that this general had taken the field, he detached the earl of Artois, who having met him near Furnes, gave him battle, and put his army to the rout. The duke of Juliers was slain in the fight, and the earl of Artois lost his eldest son. This defeat was the cause that Guy durst not go from Ghent and Bruges, where he expected Edward. Edward, however, arrived at last, after having been long expected, but with forces little proportioned to the great undertaking, because he had depended upon the allies, who kept not their promises. At his coming to Bruges he found the whole city in confusion, by reason of the animosity of two factions. With much trouble he appeased the commotions of the city, by granting the inhabitants certain privileges with regard to the trade they carried on with England. After this he came to Ghent, where he found the same divisions: so that he brought not with him all the succours he had promised, and saw with vexation, how little able the earl of Flanders was to furnish the troops he had caused him to expect. Whilst Edward was employed in composing the differences among the princes, which were very prejudicial to his affairs, Philip made himself master of Lisle, after a three months siege. Soon after he was in possession of this place, he became master of Douay, Courtray, and some other towns in the neighbourhood; after which he marched towards Bruges, which surrendered without resistance. He had formed the project of burning the English fleet which lay at anchor at Dam; but the earl of Valois, who had taken this expedition upon him, not having been able to carry on matters privately enough, found that the English ships had sailed. All Edward's measures were broken, by the treachery of his chief allies, who deserted him after having taken his money. The succours he expected from the earl of Flanders, were uncertain and inconsiderable, by reason of the faction, which opposed all resolves which might any way prove detrimental to France. His own troops were too few to enable him to withstand the forces of the enemy. Besides, fresh commotions in Scotland rendered his presence necessary in his kingdom, where, he was not without fear that his absence might cause fresh troubles. These considerations made him think of extricating himself, without

being obliged to abandon the earl of Flanders, whom he had engaged in his quarrel. He demanded a truce, which was granted him on account of the king of Sicily and the earl of Savoy, who used their interest for him. By this truce, which was to last but till the feast of the kings, for Guienne, and till St. Andrew's Day only for Flanders, Philip continued in possession of the places he had taken. Without doubt this condition served to prolong the truce for two years, Philip being well satisfied peaceably to enjoy his conquests. How hasty soever Edward might be to settle matters in Scotland, he spent the rest of the winter at Ghent, in order to unite the inhabitants of that powerful city. He hoped by that means to have a considerable assistance from thence, when the truce should be expired. During his stay there, he ran the risque of his life, by a sedition of the citizens, who had resolved to destroy all the English. It is said that he owed his escape to the generosity of a Flemish knight, of the faction in favour of the French, who by his pains and intreaties stopped the fury of the tumultuous populace. The danger he had been in making him dread some fresh insult, he dropped his undertaking and returned to his own dominions.

Notwithstanding Edward's having conquered Scotland, he had not subdued the hearts of the Scots, who bore with impatience, the yoke which force had imposed upon them. As soon as they perceived Edward was employed in Flanders, they rose in arms under the conduct of William Wallace, a man of no great family, and of a still meaner fortune, but of a very elevated genius. This generous Scot, though of little authority among his country, took upon him to free his country from the galling yoke, whilst the persons of the highest rank were divided by factions, or sided with the conqueror, and were striving who should most contribute to perpetuate its slavery. With a design to emancipate Scotland from bondage, Wallace drew together a small number of troops. How inconsiderable soever this body might be, whereof he had the command, he made so wonderful a progress, that one does not know which to admire most, either the boldness of his enterprize, or the success it was at first attended with. All those that wished for liberty, finding there was one hardy enough to head them, ran in crowds under his banner, so that he was shortly after at the head of a considerable army. Wallace attacked the places in possession of the English, and whose garrisons were weak, by reason Edward had been obliged to draw off his troops for Flanders. By his severity to those that fell into his hands, he struck such terror into the rest, that scarce was there a place which held out to extremity, for fear of being liable to the same treatment. By this means he recovered in a short space, all the towns the English had taken, and left them only the single town of Berwick. These prosperous successes filled his army with so great admiration of his bravery, that without staying for the usual formalities, he was declared regent of the kingdom. Edward, who was then in Flanders, having heard of Wallace's progress, hastened the conclusion of the treaty above-mentioned, and returned into England, fully bent upon severely punishing the revolt of the Scots.

Before he undertook this expedition, it was absolutely necessary to settle two affairs of equal importance. The first was to find some way to make peace with France, lest Philip should assist the Scots; and second, to give some satisfaction to the people, as he had promised to do after his return. He found no better method to accomplish the first, than by persuading Philip to agree to refer their difference to Boniface VIII. who was not then at variance with that prince as he was afterwards. Philip having closed with this proposal, the two monarchs left their contests to the pope's arbitration, not as head of the church, but as a private person, under the name of Benedict Cajetan.

Edward now applied himself to the correcting of the abuses which had crept into the state. In order to gain the affections of his subjects, Edward called a parliament, wherein he confirmed the Great Charter of his



own accord. It is true, he insisted very much upon having this clause inserted in his confirmation, "saving the prerogatives of the crown;" but finding the parliament opposed it with great warmth, he relinquished it.

In the year 1298, Edward put himself at the head of a powerful army, and having advanced into the middle of Scotland, met the enemy at Falkirk. The two armies were encamped so near together, that the English having heard a great shout in the enemy's camp, ran to arms in the utmost hurry, believing they were going to be attacked. The king also mounted his horse; but just as he was putting his foot in the stirrup, the horse, frightened by the noise that was made, threw him on the ground, and with a kick broke two of his ribs. This accident hindered him not from being in the battle which quickly after began, and commanding with the same temper as if he had not been hurt. The battle proved bloody, and withal very fatal to the Scots, who lost about sixty thousand men. Wallace, with the remains of his army, retired behind the northern fens, where it was not possible to follow him. Mean time Edward improving his victory, took all the places of strength with the same ease he had lost them. Thus it may be said, that on this occasion he conquered Scotland a second time. After he had given necessary orders for the preservation of the kingdom, he marched back to England, where affairs of moment called him. Wallace was not then in a condition to take advantage of Edward's absence; he had not only lost his army, but had also plainly perceived, that the jealousy of the Scotch lords was one of the principal causes of his defeat. So far were his noble virtues from spurring them on to imitate him, that they made them apprehensive of his aspiring to the crown. In this belief, they chose rather that their country should groan under perpetual slavery, than see themselves reduced to do homage to one so much below them in birth. These suspicions must needs have been spread among the nobility, since Robert Bruce, earl of Carrick, son of him who had laid claim to the crown, upbraided Wallace upon that account. This earl, who served in Edward's army, being on the day of the battle of Falkirk in pursuit of Wallace who was retreating, and having been stopped by a little river which the Scots had just passed, sent to desire him to come and speak with him on the opposite bank. Wallace having agreed to it, Robert represented to him that he was ruining himself by his ambition. That there was no appearance of his withstanding the forces of the king of England, and though he might flatter himself with those hopes, the great men of the kingdom would never be brought to own him for king. Wallace replied, "That in taking up arms he was not in the least swayed by ambition: that he acknowledged himself too unworthy of the throne, to dare to look so high: but that his only aim was to free his country, which the great men of the realm suffered to perish by their cowardice\*."

Wallace in the mean time, knowing that the jealousy the great men had entertained of him, was prejudicial to the interests of the kingdom, resigned the regency, and acted as a private person. He ceased not however to the utmost of his power, and upon all occasions, to endeavour to set his country free. Some time after Edward had left Scotland, they who had any remains of affection for their country, chose Cumin for regent. But this regency was of little consequence, which gave him authority only over a small part of the kingdom, and a few shattered troops, the remainder only of the late battle.

Soon after Edward's return into England, he endeavoured to bring to a good issue the negotiation, which

was in the hands of the pope, for the restitution of Guienne. He resolved to abandon his ally, the earl of Flanders, and thenceforward all difficulties began to vanish. The unfortunate earl, deserted by the king of England, and on the other side, pressed by the earl of Valois, who commanded the French army in Flanders, knew not which way to turn himself. In this wretched situation, he was persuaded to deliver himself upon that prince, who gave him his word that he would conduct him to Paris, that he might treat himself with the king, and in case he could not in a year's time obtain a peace, he should be at liberty to return into his dominions. Philip, however, did not look upon himself as bound by his brother's word, and, therefore, kept the earl a close prisoner.

The two years truce between France and England being upon the point of expiration, the ambassadors of the two kings met at Montreuil in 1299, where the pope sent them his sentence of arbitration, the substance whereof was as follows: "That Edward should be put again in possession of Guienne; and that, in order to establish union between the two kings, Edward† should marry Margaret, sister of Philip; and that Isabella, sister‡ of the same Philip, should be given in marriage to the prince of Wales, son of Edward." The same sentence also declares, that John Baliol, formerly king of Scotland, should be delivered into the hands of the pope's nuncio, to be kept where he should think proper. The plenipotentiaries of the two crowns signed this sentence; but as there were several things to be adjusted in order to put it in execution, they agreed upon a truce, which afterwards was frequently prolonged before the treaty of peace was signed. In the mean while Baliol was delivered to the bishop of Vincentia the pope's nuncio, who entrusted him to the care of some French bishops.

As soon as the new regent of Scotland had heard that a treaty was on foot at Montreuil between France and England, he had dispatched deputies to Philip to intreat him to get Scotland included. The juncture appeared favourable. Edward earnestly wished to recover Guienne by treaty, not thinking himself in a proper condition to obtain it any other way. It was probable, therefore, that he would, upon that consideration, grant Scotland easy terms, in case the king of France would in good earnest use his interest to obtain them. And indeed, Philip made at first some step in order to induce Edward to leave Scotland in peace. But the moment he had proposed it, he found it was impossible to procure any thing more than some little advantages which they would be obliged to purchase by a formal acknowledgement of the power which kept them in bondage. Edward was in possession of Scotland, where he met with scarce any opposition; so that, to propose his granting a peace to that kingdom, was in effect to desire him to give up his conquests. On the other hand, he could not grant a separate peace to the regent and his adherents, without leaving in Scotland a power independent of his own. All, therefore, that Philip could obtain, was a truce of seven months, for such as could not think of bearing his yoke. Not long after the regent assembled the lords whom he knew to be well affected to their country, and represented to them the sad condition she was reduced to. He told them, that if they gave Edward time to secure his conquest, he would take such measures as would render ineffectual all endeavours hereafter for the recovery of their liberty. That he only waited till he had subdued the few remains of the Scots which stood on their defence, in order to complete the reduction of the miserable kingdom to a perfect state of servitude. That this design would have been already executed if

\* It is said, that this reply made such an impression on Bruce's mind, that he burst out into tears. It is further added, that he took the resolution from that very moment, of exerting his utmost to deliver Scotland from the slavery she groaned under.

† Eleanor, wife of Edward, died in 1291. In memory of her the king erected a cross wherever her corps rested in the way from Lincolnshire to Westminster. As at Waltham, St. Albans, Dunstable, &c. and Charing.

‡ Daughter of Philip, Act. Pub. 11. p. 840.



the truces, which France had from time to time procured them, had not put it off. That there was therefore no time to lose, but a speedy resolution must be taken to make a generous effort for the recovery of their liberty, or to leave their country in perpetual slavery. Then he let them see with what ease they might shake off their yoke whilst Edward depended on their weakness, and the winter season afforded them such advantages, that they could not hope for when it should be over. These remonstrances produced the effect he expected. The lords, fond of liberty, and impatient of their servitude, resolved with one consent to take up arms, and each went and laboured to inspire the people with the same resolution. In a short time the whole kingdom rose, without its being possible for the English garrisons to put a stop to so general a revolt. The inhabitants of the cities, as well as of the country, took arms the same day and hour, so that the garrisons were attacked, both within and without, with such fury, that there was no possibility of resisting. In a word, they were reduced to the necessity of desiring leave to depart the kingdom, otherwise they could not avoid perishing by the sword.

Edward raised an army in 1300, with all imaginable speed, and, as soon as the season would permit, he entered a third time, sword in hand, that unfortunate kingdom. The Scotch army, which consisted only of ill-armed and undisciplined militia, perceiving they were not able to stand against Edward, would have retired upon his approach. But he followed them so closely, that, being at length overtaken, and obliged to engage, they were entirely routed. Historians affirm, that the fate of Scotland would have been determined that day, if the English could have pursued their enemies through the fens which were well known to the natives, but which the conquerors could not by any means pass over. This defeat made the Scots despair of standing their ground any longer; and therefore they had recourse to intreaties and submissions. They humbly desired the king to give them their liberty to redeem their lands with money, and to restore their king, on what conditions he should think fit to impose upon them; but he refused both their requests. Upon his denial, they sought means to ease their misery by sheltering themselves under the pro-

tection of the pope, to whom they sent ambassadors to make him an offer of the sovereignty of their country. Boniface VIII. whose ambition is well known, immediately accepted the offer. He had been used to act with a great deal of haughtiness with Christian princes, imagining they would blindly submit to his will, and that his authority reached to temporals as well as to spirituals. With this belief, he imagined that a bare letter from him would be sufficient to cause Edward to quit all his pretensions to Scotland. In the beginning of his bull, part of which we have inserted below, the pope took for granted a thing which had never been heard of \*.

This haughty manner in which the pope proceeded, was by no means proper to cause Edward to lay down his arms. He was so highly offended at it, that, far from having any regard to the pope's pretensions, he swore, if he heard any more of them, he would destroy Scotland from sea to sea. The deputies of the Scots who were present could not hear these threats without emotion. They told him, that he had still a great deal to do before matters could be brought to that pass; that there was not a Scotchman but what would spill the last drop of his blood in the defence of his country. But how resolved soever he might be not to leave Scotland before he had entirely reduced it, he durst not refuse the king of France a truce which he demanded in behalf of the Scots.

During this truce Edward invested his eldest son, aged seventeen years, with the principality of Wales, and earldom of Chester. The Welsh rejoiced at it, and looked upon it as a mark of the king's favour because the young prince was born in their country.

King Edward was greatly pressed by his nobles to grant a renewal and confirmation of Magna Charta and the Charta of Forests; they requested him to add some additional articles for the further security of the subject. Edward readily granted their request; and having summoned a parliament to meet at Westminster, he there ordered the two great Charters to be read: this being done, twenty articles were added for confirmation and further assurance of security. These articles met with the approbation of parliament, and were signed by the king †.

In

\* "Boniface, servant of servants, &c. To our dearly beloved son Edward, illustrious king of England, greeting and apostolical benediction.

"We know, dear son, and experience has often convinced us, how great the devout affection is which you have for the church of Rome, who upholds you in the bowels of love. We know, I say, how ardent the zeal and reverence you bear her, and how ready you are to obey her orders. This is what gives us a firm hope and entire confidence, that your royal highness will take our words in good part, diligently listen to them, and effectually put them in execution. Your royal highness may have heard, and we doubt not but you will keep in mind, that from old time the kingdom of Scotland has all along appertained, and does now appertain to the church of Rome, as all the world knows, and that, as we have been informed, it never was held either of your predecessors, or of yourself," &c.

The rest of the bull, which is too long to be inserted here at length, contains the greatest part of the objections before-mentioned, against the pretensions of the kings of England to the sovereignty of Scotland. Without doubt the pope had been instructed by the Scotch ambassadors. The pope likewise upbraided Edward with all his acts of violence committed in the Scotch war, and particularly his imprisoning several bishops. In short, he set himself up for judge of the controversy between the English and Scots, and ordered the king to send ambassadors to Rome with all necessary instructions, within six months at farthest, after which he would pronounce a decisive sentence.

#### Additional ARTICLES to the GREAT CHARTERS.

† Cap. I. The Great Charter, and that also of the Forests, shall be fully observed; and they shall be read four times in the year in a full county-court. There shall be three knights, or other substantial men, chosen by the commonalty in every county, to hear and determine complaints concerning the charters,

without such delays as is used at the common law; but they shall not in their proceedings prejudice the common law, or the charters themselves, &c.

Cap. II. If a purveyor be attainted for taking any thing without a warrant, he shall be sent to the next gaol, and suffer as a felon, if the value of the goods do so require.

Cap. III. The stewards and marshals of the king's household shall not hold plea of freehold-debt, covenant, or contract, but only of trespass done within the house or verge; or of contracts and covenants, when both parties are of the house; and the plea of trespass shall be determined before the king's departure from the verge where the trespass was committed: and the plea thereof shall be speedy, *de die in diem*; and if the plea cannot be determined in time, the plaintiff shall have recourse to the common law. The steward shall take no cognizance of debt or other things, but of the people of the same household; and if any thing be done contrary to this act, it shall be holden as void. In case of death within the verge, where the coroner of the county is to make view, he, together with the king's coroner, shall do his office; and what cannot be done by the steward before the king's departure, shall likewise be left to the common law.

Cap. IV. Common pleas shall not be holden in the Exchequer contrary to the form of the Great Charter.

Cap. V. The chancellor, and the justices of his bench, shall follow the king, so as he may have always near him such as be learned in the law, to order matters that shall come to the court.

Cap. VI. No writ concerning the common law shall be awarded under the petty seals.

Cap. VII. The constable of Dover Castle shall not hold in plea of any foreign county within the castle gates except it concern the keeping of the castle; neither shall he distrain the inhabitants of the cinque ports to plead elsewhere, or otherwise than as they ought according to the form of their charters, confirmed by the Great Charter.

Cap. VIII. The people of every county shall have election of



In the beginning of the next year, 1301, the king called a parliament at Lincoln, in order to consult about the pope's pretensions to Scotland, and what answer should be returned to his bull. The parliament being no less exasperated at the pope's pretensions and haughtiness than the king himself, it was resolved that a letter should be sent to his holiness, signed by all the barons of the realm. In this letter they plainly told him the contrary to what he asserted in his bull, namely, that the crown of England had all along enjoyed the right of sovereignty over Scotland, and that it was publicly notorious that Scotland, as to temporals, never belonged to the church of Rome. That therefore, the parliament would never suffer the king's prerogative to be called in question, or that he should send ambassadors to Rome upon that score, though he himself should be willing to carry so far his compliance for the holy see. Finally, says Rapin, they desired the pope to leave the king and people of England in the enjoyments of their rights, without giving them any disturbance\*. This letter was followed some months after by another from the king himself, with which he sent at the same time a memorial, similar to that which he drew up during the congress at Norham, to justify that at all times the kingdom of Scotland had been held of the crown of England. In this letter he dates its origin from the reign of Brutus, first king of the Isle of Albion†.

The truce with Scotland being expired, Edward returned thither, where he spent the winter. But at the time he was preparing to renew the war, the king of France so strongly solicited, that he could not refuse the Scots the prolongation of the truce to the month of November. But certain it is, that the peace between the two crowns was not fully concluded till 1303, and that the treaty of Montreuil was only the pope's sentence of arbitration containing several articles, the performance whereof might meet with great difficulties, though, in general, the two kings were very well satisfied with it. This makes Edward's deference for Philip not so strange, since by a refusal he might have retarded the conclusion of a peace, by which Guienne was to be restored.

When the truce with Scotland was about to expire, Edward sent Segrave into that country to renew the war. This general marched thither, not so much with a design to fight the Scots as to destroy the country. With

this view he divided his army into three bodies, which marched at some distance from one another, that they might lay waste the greater quantity of lands. The notion he had that there was nothing to fear, causing him to march in a careless manner, and without vouchsafing to get intelligence of the posture of the enemy, he unexpectedly met the Scots near Ross, five miles from Edinburgh. As he was too far advanced with the body he commanded, to be able to receive any assistance from the others, the Scotch army commanded by Cumin and Frazer, attacked him without loss of time, and immediately put him to the rout. The nearest of the other bodies having notice that the general was attacked, hastened to his relief. But not being able to come up time enough, they were defeated likewise. Though the Scots were victorious in these two engagements, it was not without much difficulty and great loss. The third body of the English army soon advanced to attack them; when the sight put them into such disorder that they would directly have turned their backs, if the exhortations of their generals had not revived their courage. This last battle was the sharpest of the three. The English animated with the desire of revenging their countrymen, and the Scots encouraged by the two victories they had just obtained, fought a great while with equal animosity: but the Scots got the better at last and routed their enemies. Edward now resolved to enter Scotland once again, with a more numerous army than he had before. It was not in his power to execute his design till the next year, because he could not help including the Scots in a truce which he made with France till June.

In the year 1303, the peace betwixt the two crowns was concluded at Paris, on the 20th of May. Philip restored Guienne to Edward, who bound himself on his part to do him full homage and without limitation, in the city of Amiens. As for the allies of the two kings, there was no mention of them in the treaty. On the contrary, the two monarchs obliged themselves by oath not to assist one another's enemies. Thus the Scots and the earl of Flanders were left to shift for themselves. Though the first articles always runs, that neither peace nor truce shall be made without the consent of all parties, it is usually this that is first violated. Indeed, Philip would have persuaded the Scots that he would procure them a separate peace at an interview he was to have with

of their sheriffs, where the shrievalty is not of fee: but this was altered by the statute of 14 Edw. II. *De vice comitibus*.

Cap. IX. None shall be impannelled but as is ordained by statute, and they shall be next neighbours, most sufficient, and least suspicious; that if the officer do otherwise he shall answer double damages to the party grieved, and be grievously amerced to the king.

Cap. X. Against conspirators, false informers, and embracers of inquests, the king hath provided a writ in the Chancery; and the justices of either bench and justices of assize, shall, upon every plaint thereof, award inquests thereupon, without writ, and do right with delay.

Cap. XI. None shall take upon him any cause in suit, with an intent to have part of the thing sued for; neither shall any, upon any such covenant, give up his right to another; on pain that the taker shall forfeit to the king, so much of his lands and goods as do amount to the value of what he hath purchased for such maintenance, to be recovered by any that will sue for the king in the court where the plea hangeth.

Cap. XII. Beasts of the plough shall not be distrained for the king's debt, so long as other may be found, on such pain as is elsewhere ordained by statute, viz. *De districtione faccarum*, 51 Hen. III. nor shall the great distresses be taken for his debts, nor driven too far; and if the debtor can find convenient security for some time, whereby to agree for the demand, the distress shall in the mean time be released: and he that doth otherwise shall be grievously punished.

Cap. XIII. The commons of every county shall chuse such sheriffs, as shall not charge them nor put the officer into authority, for rewards or bribes; nor lodge too oft in one place, nor with poor persons, nor men of religion.

Cap. XIV. Bailiwicks and hundreds shall not be let to farm at too great sums, whereby the people may be over-charged with contributions of such farms.

Cap. XV. The summons and attachments of plea of land shall contain fifteen days notice, unless in attachments of assize.

No. XXI.

sizes, in the king's presence, or before the justices of the Common Bench, or pleas before justices in eyre during the eyre.

Cap. XVI. Such executions shall be done upon those, that by precepts from the king made false returns of writ, by which means right is delayed, as is ordained by the statute of Westminster the Second, cap. XXXIX.

Cap. XVII. The statute of Winchester shall be again sent into every county, to be read four times in the year, and to be kept as strictly as the Great Charter, on the pain therein limited: and for the better observance of it, the knights assigned in the counties to redress things done against the said Charter, shall be charged with this, and have hereby their warrant for it.

Cap. XVIII. An action of waste is maintainable against escheators and sub-escheators, for waste by them committed in the lands of wards: but this is now out of use.

Cap. XIX. When lands are wrongfully seized into the king's hands by the escheator or sheriff, and after it be out of his hands, because he cannot justly hold it, the mean profits shall be fully restored to him who ought to have the lands, and who hath sustained the damage.

Cap. XX. None shall make, or cause to be made, any vessel, jewel, or other thing of gold or silver, except it be of good and true alloy, viz. gold of a certain touch, and silver of the sterling alloy, or better; and none shall work worse silver than money: with several other appointments for goldsmiths to observe, upon pain of imprisonment and fine at the king's will, saving the right and prerogative of the crown in all things.

\* This remonstrance is subscribed by an hundred earls and barons, who declare besides, that they had authority to represent the whole community of the kingdom. Dr. Howell has given the names of them, and calls it *A List of those worthy Patriots who withstood Papal Usurpation*.

† See the original letter in the Preface to this Work.



Edward; but nothing was farther from his thoughts. But be this as it will, Philip left the Scots to the mercy of the king of England, on the supposition that Edward would abandon the Flemings, who having taken up arms against him, had already gained great advantages. Baliol, from whom this treaty had taken all hopes of being ever restored, lived on his estate in Normandy, and spent the residue of his days as a private person, wholly retired from court. The pope interfered in the making of the peace; but his interference occasioned some delay, therefore Philip, looking upon the pope as his enemy, concluded a peace with Edward without the pontiff's assistance.

This year Edward, having nothing more to fear from France, carried his arms a fourth time into Scotland, with so numerous an army, that he met with little or no resistance. He penetrated even to the utmost bounds of the island, ravaging the country on all sides, the Scots being in no condition to oppose so formidable an enemy. Wallace alone, with some troops, harassed him in order to be revenged upon such of the English soldiers as ventured to stir from the main body of the army. How great soever Edward's advantages might be, he was not so severe to those that voluntarily submitted as he had been in his former expedition. He had found that by driving them to despair, he himself had compelled them to revolt. For this reason he favourably treated such as surrendered, and permitted them to redeem their lands, which he had before refused them. This indulgence produced so good an effect, that almost all the great men in the kingdom, finding there was no other remedy, willingly embraced it. Before he quitted the kingdom, Edward ordered Sterling-castle to be assaulted, which held out the whole winter. The vigorous defence of the besieged obliged the king to be there in person in 1304, as soon as the weather permitted; nevertheless, it was July before he brought them to capitulate. The taking of this castle finished Edward's fourth expedition and third conquest of Scotland. But notwithstanding, it may be justly said that Scotland was conquered upon this occasion, yet there were in the country, certain impenetrable places, which the English did not attempt to conquer, that afforded a retreat and sanctuary to those that could not persuade themselves to live in slavery under a foreign power, and who were a great help to the restoring the kingdom to its pristine liberty and glory. This is what Edward himself in the midst of his successes could not forbear dreading. The rigour with which he treated the brave but unfortunate Wallace, who was betrayed into his hands by treachery, is a clear evidence that he did not think the Scots subdued, though he was master of Scotland. To deter them by the punishment of this great man, whom he looked upon as the sole author of their revolt, he caused him to be tried, condemned, and executed as guilty of high-treason, and ordered his four quarters to be hung up in four of the principal towns in the kingdom. They were English judges that pronounced this sentence, though Wallace was a Scotchman, and of the number of those that had never owned the jurisdiction of Edward. To palliate, in some measure, so extraordinary a piece of severity

and injustice, there are historians who endeavour to debase the character of Wallace, and charge him with having committed excessive cruelties. But neither these accusations nor the manner of his death have been able to hinder posterity from doing him the justice he deserved, and unprejudiced people from looking upon him still as a hero worthy of a better fate, than that which he met with at the instigation of the *mild and clement* Edward. This, however, was not the only instance of Edward's unbounded severity; for when he returned into England, he endeavoured to make his authority regarded; but some among the barons showed little deference to his overbearing mode of proceeding. Segrave was attacked the first upon this score, to serve for an example to the rest. This lord having been accused of some misdemeanour in 1305, had challenged his accuser to single combat, in order to vindicate his innocence, according to the custom of those days\*. But the king not having thought fit to consent to it, Segrave had passed the sea, in order to go and fight out of the kingdom. Though his disobedience might in some measure be extenuated by the regard he had shown for the king in forbearing to fight the duel in his territories, Edward considered it as a crime of the blackest hue; and therefore determined not to let it go unpunished. As soon as Segrave came back, he was taken into custody and put to his trial. The judges seemed to be at a loss how to pass sentence in this affair, concerning which there was apparently no law to direct them. However, after three days consultation they declared him worthy of death, adding in their sentence, "that it should be in the king's power to pardon him." Edward was highly enraged at the boldness of the judges, who by that assertion seemed to set bounds to his prerogative, as if it were not in his power to exercise clemency without their permission, and therefore gave them a severe reprimand. Nevertheless, he pardoned Segrave upon the intercession of certain lords, who declared they would become sureties for his good behaviour for the future.

Many other instances of the severity of Edward after his return might also be enumerated were it necessary: we shall, however, recite a few. Having been informed that justice was administered throughout the whole kingdom with a great deal of negligence and partiality; that the magistrates suffered themselves to be bribed with presents, and that the rich were screened from the rigour of the laws, whilst the poor were exposed to the oppression and tyranny of the great; he thought these disorders called for a speedy and effectual redress, and gave an extraordinary commission to some judges whom he nominated himself, to go into all the counties, and make inquisition upon all malefactors of what rank soever they might be, and empowered them to put their sentence in execution upon the spot. This commission was called *Trail Baton*†, and the court was similar to that which is styled in France, *Grands Jours*. This severe proceeding was a check to those who thought to screen themselves from justice by their credit and riches; and served at the same time to fill the king's coffers with the mulcts and fines of the guilty‡.

Clement

\* He was charged with treason by Sir John de Cromwell. M. West. anno 1305.

† *Trail Baton*, or *Trayle Basson*, is an old French term, signifying, *to draw a staff*; but why this commission should be called by that name, we cannot pretend to determine. Mr. Tyrrel says, "That though it is commonly attributed to the 'speediness of the process, which was dispatched almost in as little a time as a man could draw or let fall a staff,' yet this signification seems forced; and he rather inclines to the authority of the *Exeter Chronicle* in the *Bodleian library*, which derives it from a certain instrument anciently belonging to the shoemakers, wherewith they used to beat their apprentices, called a *Traylebaton*, but it is now out of use; and of which the author says, that the king, in his return from Scotland, was told this story, concerning those who then made it a trade to take money to beat other men: that a certain wicked person hired some of those ruffians to beat another man, whom he durst not meddle with himself: hereupon the person attacked

desiring them to spare him, promised them, that if they would bestow as many more blows on him that set them to work, he would reward them double; this they agreed to. In their return, they met with the man who first employed them, who asking them whether they had done as he ordered them, they answered in the affirmative, telling him, at the same time, that they were to receive as much more for the like business. Hereupon one of them, being a shoemaker, called out *Trail Baton*, when they immediately began to cudgel him, and beat him twice as much more as they did the other. This story, which at first appears ludicrous, made the king smile, but he resolved to free his subjects from the like inconveniences, and appointed certain officers to punish them, who were called commissioners of *Trail Baton*. The writ may be seen at length in *Rymer's Collections*.

‡ These justices were in a manner the same with the justices in eyre. Their office was to make inquisition through the realm, by the verdict of substantial juries, upon mayors, the-  
riffs,



Clement V. a native of Bourdeaux, having succeeded Boniface VIII. Edward used his interest with the new pope in 1305 to obtain a dispensation from the oath he had taken with regard to the two Charters of Liberties. The pope made no scruple to grant him that favour; he supposed, as appears by his bull, that the king had been forced to take that oath, and that supposition, false as it was, seemed to him a sufficient reason to absolve him from it. It is even affirmed, that Edward purchased this dispensation by making the pope a present of gold plate. Edward soon after discovered his arbitrary disposition, by reason of a grant which Clement V. made him of the tenths of three years, reserving, however, the one half to himself for the occasions of the holy see. The parliament easily perceived, that these doings tended to the impoverishing of the clergy without any necessity, and to the draining the kingdom of its money, and therefore strenuously opposed them, and forbade the collectors to levy the tenths. Edward, without any regard to the parliament, took off the prohibition by his own authority, and gave the collectors leave to go on. This arbitrary act coming immediately after the above-mentioned dispensation, made the English apprehensive that the king had some design against their liberties, and their apprehensions appeared but too well grounded. But his intentions were frustrated by the troubles which suddenly broke out afresh in Scotland, and the pope's favour was rendered of no effect.

In 1306, the Scots again sought measures to free themselves from the galling yoke of Edward. Robert Bruce, earl of Carrick, was one of those who thought they had most reason to complain. Robert his father had not only been excluded from the crown, but Edward had not kept his word with him. He promised to place him on the throne in the room of Baliol; but made not the least step towards the performance of his promise. Nevertheless Robert served him faithfully both before and after the death of his father. But the discourse he held with Wallace the day of the battle of Falkirk, and the king's whole behaviour, having made him sensible that Edward minded only his own ends, he entertained the generous design of exerting his endeavours to free his country from the servile state she was then in. At the same time, he had thoughts of procuring the crown of Scotland, to which he pretended to have a lawful title, notwithstanding the sentence given against the earl his father. John Cumin, surnamed the Red, another Scotch lord of great distinction, but of less credit than Bruce, was, or seemed to be, in the same sentiments, and to have the interest of his country at heart. This conformity caused these two lords to communicate their thoughts to one another, after various conversations. The conferences of these nobles ended in an agreement which contained these two articles: 1. That they should act in concert in order to get Robert Bruce crowned king of Scotland. 2. That in consideration of the services Cumin should do Robert, this last should give him up all the demesnes he held in Scotland, and should make him his lieutenant-general. These measures being taken, Robert came to Edward's court, where it was necessary to gain certain Scotch lords who were in the interests of the king of England. In the mean time, whether Cumin repented of what he had done, or whether, as some affirm, he had contrived this plot on purpose to ensnare Robert, he discovered the matter to the king. It is said that he even sent him the original articles of agreement signed and sealed by both. The king immediately resolved to apprehend Robert; but fearing by so doing he should miss of his accomplices, he was contented with narrowly watching him. He hoped to make some fresh discoveries by means of Cumin, to

whom Robert communicated by letters all he did at court. The king's design could not be so secret, but that it was divined by the earl of Gomer, an old friend to the family of Bruce, who was then at London. This earl knowing that Robert was narrowly watched, and not daring to speak to him himself, in order to discover so important a secret, sent him a pair of spurs with some pieces of gold, as if he had borrowed them of him. Robert, who was endowed with great penetration, presently found there was some mystery in this pretended restitution of his friend, and concluded, that he meant by it to advise him to speedy flight. In this belief, he resolved upon it immediately, and contrived matters with so much address expedition, that it was impossible to prevent him, and much more to overtake him. As he had communicated his thoughts to none but Cumin, he did not doubt but he had been betrayed by that pretended friend. As soon as he was arrived in Scotland, he repaired to Dumfries, where Cumin then was, and having found him in the church of the Cordeliers, little expecting his coming, he stabbed him with his own hand. This bold stroke added to the plot he had laid, exposing him to the king's resentment, he saw himself under the necessity of openly declaring his intentions, well knowing there was no safety for him but in the success of his designs. As soon as he had declared himself, such numbers flocked to him, that he quickly was in a condition to go well attended to Scone, where he was solemnly crowned. After which, the people in general sided with him. Hereupon Edward resolved to reduce the Scots to a state of abject slavery, that he might have no revolts to fear in future; and therefore sent Audemar de Valence, earl of Pembroke, with an army into Scotland, to prepare the way, whilst he drew his forces together at Carlisle. To render his expedition the more signal, he knighted three hundred young gentlemen who attended the prince his son, whom he was willing, on this occasion, to initiate in the art of war. In the interim, Robert had made great progress in Scotland, and had taken several places. He would have carried his conquests farther, if the earl of Pembroke had not stopped his career. The earl having entered Scotland, marched directly to Robert, who, not having thought fit to draw back, on this first occasion, went to meet him. The two armies coming to an engagement, Robert's was put to the rout; but as his loss was not very great, he was willing to hazard a second battle, wherein he had no better success. These two defeats having forced him to quit the country, he withdrew to one of the Hebrides, where he lay concealed at a relation's house, till a more favourable juncture should offer. Shortly after, Edward entering the kingdom with a numerous army, found the Scots in consternation, and their troops dispersed: so that having no enemy to encounter, he sent out detachments to seize the adherents of Bruce. Great numbers were taken, who all felt that prince's severity. Three brothers of the new king lost their heads on a scaffold. His wife herself having been sent into England was closely confined. The bishops of Glasgow and St. Andrews, who had been taken with their coats of mail over their habits, would have fallen a sacrifice to his vengeance, had not the fear of disobliging the pope, held his hand. They were, however, sent into England, and thrown into prison. The earl of Athol, allied to Edward and the royal family of Scotland, was distinguished from the rest, by the height of the gallows on which he was hanged. The countess of Buquhan, who had assisted at Robert's coronation\*, was put into a wooden cage, and placed as a ridiculous sight to the people on the walls of Berwick-Castle. Mary her sister underwent the same fate at Roxborough.

riffs, bailiffs, escheators, and others, concerning extortion, bribery, and such grievances, as intrusions into other men's lands, barretors, and breakers of the peace, &c.

\* This countess was sister to the earl of Fife, then absent

in England, whose office it was to crown the kings of Scotland. For which reason, she being of a brave and manlike spirit, stole from her husband with all his horse, and set the diadem upon Bruce's head at the abbey of Scone.



Edward having punished the malecontents, spent the winter at Carlisle, where he summoned the last parliament of his reign. He now sought the means of securing the possession of Scotland by uniting that kingdom to England, resolving to spare nothing to keep the Scots in awe, and to make use to that end of the most rigorous methods. But the face of affairs was much altered in that country before any fixed resolution was taken in the matter. This parliament applied themselves also with great diligence to prevent the exactions of the court of Rome, which were still continued with the same excess as before, in spite of the measures which had been taken to put a stop to them. To this end the statute *De Asportabilis Religiosorum* was enacted, which might have redressed this grievance, had it been well executed. By the advice of this parliament Piers Gaveston, a young man of a very debauched life, who had gained an ascendancy over the mind of the prince his son, and caused him to run into various excesses, was banished the realm, as a corrupter of the young prince. Moreover the king caused his son to swear that he would never recal him, and Gaveston likewise swore never to set foot again in England. Upon that condition he allowed him a pension of a hundred marks, to be paid out of the revenues of Guienne.

Notwithstanding Edward's resolution to put it out of the power of Scotland to emerge from its state of dependence again, the time of that kingdom's deliverance was at hand. Edward having left Scotland, Robert Bruce came from his retreat, and made good use of the king's absence and the sharpness of the winter, which hindered the English troops from acting. He again drew together his army, and reinforced them with fresh recruits, which the Scotch lords, exasperated at Edward's severity, brought him from all quarters. With these troops he attacked the earl of Pembroke, who commanded in Scotland, and obtained over him a signal victory, wherein the English general was made prisoner. He then marched against the earl of Gloucester, who was at the head of another body, and obliged him to retreat to the castle of Aire, which he besieged, but without success. As he was master of the field, and had none to oppose him, he took without any trouble several places, which he caused to be dismantled, as well not to be obliged to garrison them, as to prevent the English from making use of them hereafter. Edward, surprized at this unexpected turn of affairs, and exasperated against the Scots to a degree never more to be appeased, he resolved to be revenged of that nation in a more signal manner than before. To that end he summoned all the vassals of the crown, without exception, to meet him at Carlisle about the middle of the summer, under the penalty of forfeiting their fiefs. His intention was to march into the heart of Scotland, and lay waste that kingdom from sea to sea, as he had often threatened. In his way thither he was taken ill of a violent flux at Carlisle, where he had drawn together the finest army England had ever seen, but his distemper soon put an end to his days, and to all his projects. Finding his end approach, he sent for prince Edward his eldest son, and earnestly recommended to him three things. The first was, vigorously to prosecute the war with Scotland, till he had entirely subdued the Scots. To that purpose, he advised him to carry along with him his bones at the head of the army, not at all doubting but that object would daunt the courage of the enemies whom he had so often vanquished. The second thing he recommended, was to send his heart to the Holy Land with thirty two thousand pounds sterling, which he had provided for the support of the holy sepulchre. The third was, never to recal Gaveston.

\* Upon the sands in Cumberland, to distinguish it from Burgh upon Stanemore in Westmoreland. The memory of Edward's death had been preserved by some great stones rolled upon the place, but in 1685 a square pillar was erected nine yards and a half high. On the west side is this inscription: *Memoria aeterna Edwardi I. Regis Angliæ longe clarissimi, qui in Belli apparatu contra Scotos occupatus, hic in castro obiit*

After he had given his last orders to his son, he caused himself to be carried by easy journies into Scotland, being desirous of dying in a country which he had thrice conquered. In this manner he advanced as far as the little town of Burgh\*, where he resigned his breath, July 7, 1307, aged sixty-eight years, having reigned thirty-four years, eleven months, and twenty days. His body was carried to Waltham, and from thence to Westminster-Abbey, where it was deposited near that of Henry his father†.

Thus lived and died Edward, says Rapin, the first of that name since the Norman conquest, and the fourth since Egbert. This prince had, without doubt, very noble qualities, and particularly a great deal of valour and prudence. He knew how to master his passions, and return to the right way when he had wandered from it, a quality never to be commended enough in a sovereign. When we compare him with his father, his grandfather, and his own son who succeeded him, we find he far excelled them all. This comparison, which one can hardly help making, was so much to his advantage, that the English historians have made use of the strongest expressions in his encomium, and would have him pass for the greatest prince of his age. A famous writer has not scrupled to say, "That God had pitched his tent in the breast of that monarch." But his whole behaviour in the affair of Scotland does not give so advantageous an idea of him. However, without examining too closely the expressions made use of by the historians on his account, and the praises they give him, it may be said that he was a great king, and that England has been a very great gainer by his administration. The kingdom, weakened by the ill management of the two preceding kings, was restored to its former splendor by the abilities of this prince, who knew how to make himself beloved and respected by his subjects, as well as dreaded by his neighbours. The conquest of Wales, which had been in vain attempted by his predecessors, added a great lustre to his reign, and was very beneficial to his kingdom. That of Scotland would no doubt have gained him more honour, if it had been entirely finished, since the Scotch historians would have spoken of him in better terms than they have done, if at the time of their writing they had been English.

He was, says the same author, very handsome in his person, taller than the generality of men by the whole head. His hair was black, and curled naturally, and his eyes, of the same colour, sparkled with uncommon vivacity. He would have been perfectly well shaped, if his legs, which were a little too long, had been in proportion to the rest of his body. Hence he had the surname of Long-shanks. He joined to his bodily perfections a solid judgement, a great penetration, and a prudent conduct, which very rarely suffered him to make a false step. Besides this, he had principles of justice, honour, and honesty, which restrained him from countenancing vice, not only in his most intimate courtiers, but even in his own son. Moreover, he was of an exemplary chastity, a virtue seldom found in sovereign princes. All these fine qualities begot for him in the hearts of his subjects, a love and esteem which did not a little contribute to the rendering his reign peaceable at home, whilst his arms were employed abroad. As for the business of Scotland, it may be said, that it procured more honour than real advantages to England, since after shedding of torrents of blood in that quarrel, the English were constrained in the end to drop their project. The children of Edward were, by Eleanor of Castile his first wife, four sons and nine daughters. Edward II, the only surviving son succeeded him.

7 July, A. D. 1307. It was set up by John Aglionby I. C. and made by Thomas Langstone, Camd.

† A plain monument was afterwards erected, and the following inscription was placed on the north side of it: "Edwardus Primus Scotorum nullius in est, 1308. Pax serva."



Eleanor, his eldest daughter, had been contracted to Alphonfus, king of Arragon: but that prince dying before the marriage was consummated, she was given to Henry, duke of Bar. Joanna, surnamed of Acres, the place of her nativity, was betrothed to Hartman, son of the emperor Rodolphus I. but the death of the young prince having prevented their coming together, she espoused Gilbert Clare, earl of Gloucester, and after his death, Ralph de Monthermer. Margaret was wife of John, duke of Brabant; Elizabeth of John, earl of Holland; and afterwards of Humphry Bohun, earl of Hereford. Berenguela, Alice, Blanch, and Beatrix, died young. By his second wife, Margaret of France, Edward had two sons and one daughter. Thomas de Brotherton the eldest, was earl of Norfolk, and grand marshal of England. Edmund bore the title of earl of Kent. Eleanor the daughter was betrothed to Otho, earl of Burgundy, but she died in her childhood.

In this reign the standard of our coin is supposed to have been fixed. It was ordered, that in a pound of money there should be eleven ounces two-pence farthing pure silver, and only seventeen-pence halfpenny farthing alloy; and this pound was to weigh twenty shillings and three-pence in account, each ounce twenty-pence, and every penny twenty-four grains and a half. At the same time divers kinds of foreign money were cried down by proclamation, as pollards, crocards, staldings, eagles, leonines; and steepings, two of them, says the record, were only of the value of one sterling, being a composition of silver, copper, and sulphur.

At a synod holden at Reading by the archbishop of Canterbury, it was ordained, according to the constitutions of the general council, that no ecclesiastic should have more than one benefice, to whom belonged the cure of souls; and that every person promoted to any ecclesiastical living, should take the order of priesthood within one year after.

In this king's reign Stock's Market was built, for the convenient sale of fish and flesh. This market was pulled down a few years ago, and a stately mansion-house was erected in its place, as a residence for the lord mayor of the city of London for the time being.

In the third year of Edward I. a general earthquake happened in England, which threw down St. Michael's Church on the hill near Glastonbury.

There was so great a plenty of corn in the fifteenth year of Edward's reign, that wheat was sold for ten groats a quarter; but the next year there happened so great a dearth, that the same commodity sold for eighteen pence the bushel. In the seventeenth year, owing to the vast quantities of rain that fell, wheat was raised from three-pence the bushel to sixteen-pence; this rise greatly increased till it amounted to twenty shillings per quarter.

By an act of the common council of London made in the year 1299, the prices of poultry were determined. A fat cock was to be sold for three halfpence, two pullets for three halfpence, a fat capon two-pence halfpenny, a goose for four-pence, a mallard for three halfpence, a partridge for three halfpence, a pheasant for four-pence, a heron for six-pence, a plover for a penny, a swan for three shillings, a crane for twelve-pence, two woodcocks for three halfpence, a fat lamb from Christmas to Shrovetide for six-pence, and all the year after for four-pence.

## C H A P. VI.

## EDWARD II. SURNAMED OF CAERNARVON.

BY the reign of Edward I. which had been a glorious and triumphant reign for England, the Principality of Wales was united to the crown. The kingdom of Scotland also had been thrice subdued, and would, in all probability, have been conquered a fourth time, the English army having already entered the frontiers, had not death put a period to Edward's life. The

No. XXI.

kingdom was no longer disturbed by factions; discord was banished, and harmony was happily established between the sovereign and the people. This seemed to make ample amends for the losses the crown had sustained beyond sea in the reigns of John and Henry III. not so much by the weakness of the English, as by the pusillanimity of those two princes. Edward of Caernarvon, who was only in the twenty-third year of his age when he ascended the throne, in the year 1307, was of an agreeable figure, of a mild and gentle disposition, and having never discovered a propensity to any dangerous vice, except when he was misled by the advice of Piers Gaveston, who was banished from the realm, it was natural to prognosticate tranquillity and happiness from his government. The scene, however, was speedily changed; and the very first act of his reign blasted all these hopes, and made it appear, that he was wholly unfit to govern a nation: an instance of which we have in the affair of the indefatigable Robert Bruce, who, notwithstanding his army had been dispersed, and he himself had been obliged to take shelter in the Western Isles, remained not long inactive. Before the death of the late king, Bruce sallied from his retreat, and again collected his scattered forces; with these he appeared in the field, and obtained by surprize an important advantage over Aymar de Valence, who commanded the English army. Notwithstanding the success of Edward I. this prince, instead of pursuing his advantages, marched but a little way into Scotland; and having an utter incapacity and equal aversion for all application or serious business, he immediately returned and disbanded his army.

His next step was to recal his favourite Piers Gaveston, and not waiting for his return made him, without hesitation, the richest lord in the kingdom. The first days of his reign he created him earl of Cornwall, and gave him the lands which were fallen to the crown by the death of the late earl, son of Richard, king of the Romans. His impatience to load with favours a man who had been just driven from him, as the debaucher of his youth, plainly discovered to what a degree his passions were grown, notwithstanding the good opinion which the people had entertained of him, and how much the consequences of it were to be feared. But this was not all the effect it produced. The English began to have a disadvantageous idea of their new king, and at the same time to think of means to curb the impetuous career of a prince, who gave so just occasion of fear. Not content with having begun his reign with the breach of his oath to the king his father, in recalling a favourite despised by all the world, he had loaded him with benefits, and immediately after his return had presented him with the Isle of Man. But this was not the only or the chief cause of the discontent of the English lords. They could not see, without extreme regret, such a one as Gaveston dispose at pleasure of all the offices of the kingdom, and become absolute master of the administration of affairs, which the king wholly left to his management. It seemed as if Edward desired not to be king, but purely to have it in his power to shower down his favours on his favourite. Wholly intent upon pleasing him, he concerned himself with nothing but how to find every day new ways to procure him satisfaction. In fine, giving himself up entirely to his guidance, he let him act as king, whilst he himself gloried in being his subject or slave. A more extravagant passion had never been seen.

Gaveston's return was immediately followed by the disgrace of Langton, bishop of Chester, and high treasurer. The reason of Edward's hatred to that prelate, was because he had been the principal promoter of Gaveston's banishment. As soon as he came to the crown, he ordered him to be confined in Wallingford-Castle, and would not suffer any person to speak in his behalf; and it was not but upon the pressing instances of the pope, that he set him at liberty after a long confinement. To this act of violence he added, the turning out of all the old officers and domestics of the

2 R

king



king his father, without acquainting his council with the affair.

The beginnings of this reign affording no promising prospect, the principal lords thought of means to stop the impetuosity of their prince, and curb his capricious temper. But these thoughts were interrupted by the celebration of his nuptials, in 1308. He had been contracted to Isabella of France, daughter of Philip the Fair, by the king his father, who had strongly charged him when on his death-bed, to consummate the marriage as soon as possible. This was the only thing wherein he made haste to obey him. Neglecting therefore the war with Scotland, which was no less necessary, he repaired to Boulogne, where the king of France staid for him to deliver his daughter into his hands. At this wedding were present four kings and four queens, besides a great number of princes and princesses, lords and ladies, who made a very numerous assembly of nobles\*.

Though Edward's voyage was very short, it failed not however to produce ill effects. Upon leaving England, he was so weak as to appoint his favourite guardian of the realm, with power to dispose of all vacant places and benefices, wardships of young nobles: and, in a word, to act in all things with an unlimited authority†. The many favours heaped upon Gaveston, roused the jealousy of the barons, who carried their resentment so far, that they entered into a league together to hinder the king's coronation, the day whereof was already fixed. Edward not being in a condition to break so powerful a league, wherein almost all the lords of the realm were concerned, chose to prevent the consequences of it by fair means. He gave his word to the barons, that in the next parliament he would grant whatever they could reasonably desire. This promise satisfied them; but they could not behold without extreme regret, Gaveston‡ pitched upon to carry the crown of St. Edward, with which the king was to be crowned, an honour which, by ancient custom, belonged to the princes of the royal family. This preference provoked the lords to the last degree against the favourite, and at the same time filled them with indignation against the king, who seemed to glory in his weakness, for a man detested by the whole nation. The coronation, however, was solemnized without opposition, the bishop of Winchester performing this ceremony by order of the archbishop of Canterbury, who was out of the kingdom§.

The solemnity was no sooner over, than Edward forgot the promises he had made to the lords. He continued daily to load Gaveston with new favours, and left him as before, absolute master of his own and the kingdom's affairs. Gaveston for his part, far from endeavouring to allay the storm which was gathering over his head, affected to govern with an arbitrary power, without asking the advice of any. He made use of the influence he had over his master, to divert him from continuing the war with Scotland, which the king his father

had so earnestly enjoined him, and of which his subjects impatiently waited the issue, that they might be eased of the expences it put them to. Instead of inspiring him with the love of glory and virtue, he filled the court with libertines, buffoons, and parasites, and the like pernicious instruments, proper to corrupt his inclinations, though they had been naturally as good as they were then bad. To this he added the ridiculous vanity of affecting to wear the king's jewels, and even the crown itself, which Edward gave him leave to do. Every fresh favour the king bestowed on Gaveston increased the hatred which the lords had entertained against him; they plainly saw it was in vain to press the king to part with his favourite, and that he would never consent to their request, unless he were compelled to it. In this belief, they laboured to bring into their league, the members of the parliament which was to meet, and accordingly did meet in May, 1308. By the management of the lords, Gaveston's banishment became the chief, or rather the only business of the session. The two houses being united in the same design, demanded of the king in so strong and positive a manner that Gaveston should be banished the realm, that he durst not oppose it. He was afraid his refusal would deprive him of the aids he expected for the continuation of the war with Scotland, and perhaps he dreaded something worse. So that without debating the matter he ordered letters patent to be drawn up, whereby he obliged himself to cause Gaveston to depart the realm before St. John Baptist's Day next ensuing. In the mean time, instead of acting in a manner that they might believe he designed to perform his promise, he every day heapeth fresh favours on his favourite. Fifteen days after his engagement he made him a grant of three thousand marks a year in land||. By this proceeding it plainly appeared, that he was by no means resolved to part with him, and the archbishop of Canterbury, who had entered into the barons league, excommunicated Gaveston, provided he did not leave the realm by the time prescribed him. Edward giving himself little trouble about this censure, only intreated the pope to annul it. At the same time he desired the king of France his brother-in-law, to endeavour to accommodate matters between him and the barons, but to manage it so that he might keep his favourite. The lords finding the appointed time for Gaveston's departure drew nigh, became very urgent with the king to keep his word: but in the performance of his promise he shewed his favourite a fresh mark of his affection, by making him governor of Ireland, with a very extensive authority. This removal, how honourable soever it was, failed not to give some satisfaction to the lords; who hoped to take advantage of his absence to cause his ruin. As he was absolute master of the king's affection, soon after his arrival in Ireland, he caused himself to be recalled in 1309, under pretence of being present at a tournament to be held at Walling-

\* There were present the kings of France, Navarre, Almain, and Sicily, with the queens Mary of France, Margaret dowager of England, and the queen of Navarre.

† Act. Pub. 111. 47. This act shows the error of most historians, particularly, father Orleans, Speed, the annotator upon Daniel's History, Dr. Howel, &c. who all say Gaveston was with the king at the celebration of his nuptials; whereas he was then in England, as appears from several orders in Rymer's *Fœdera*, signed by him in the king's absence, with the subscription, *Teſſe Gaveston*.

‡ Gaveston was the son of a Gascon knight of some distinction, and by his shining accomplishments had early intimated himself into the affections of young Edward, whose heart was easily caught by appearances, and strongly disposed to friendship and confidence. He was endowed with the utmost elegance of shape and person, was noted for a fine mien and easy carriage, distinguished himself in all warlike and genteel exercises, and was celebrated for those quick sallies of wit in which his countrymen usually excel.

§ The form of the oath administered to Edward was as follows:

“*Bishop of Winchester*. Sir, will you keep and confirm by your oath to the people of England, the laws established by

the pious kings your predecessors, and particularly, the laws, customs, and liberties, granted to the clergy and people by the glorious St. Edward your predecessor?

“*King*. I will and promise it.

“*Bishop*. Sir, will you preserve to God, to Holy Church, to the clergy and people, the peace of God, fully and to the utmost of your power?

“*King*. I will.

“*Bishop*. Sir, will you cause to be observed in all your judgements, right and justice with discretion, in mercy and in truth, as far as you are able?

“*King*. I will.

“*Bishop*. Sir, will you promise to keep and cause to be kept, the laws and statutes that the community of your kingdom shall judge fit to enact, and will you defend and protect them to the utmost of your power?

“*King*. I do promise it.”

This is the first perfect copy of a coronation oath to be met with in the English history; but whether Edward I. took the same oath, or whether it was first introduced at the coronation of Edward II. is a circumstance we are unable to determine.

|| The grant is dated at Langley; see Act. Pub. 111. p. 87.



ford. The magnificence wherewith he appeared on this occasion, and the great number of foreigners which attended him, and served him for so many guards, sensibly increased the jealousy of the lords, who saw themselves thus defied. To this kind of insult he added, the indelicacy of passing some scurrilous jokes on the ears of Lancaster, Warwick, Warren, and Hereford. The lords, thus insulted by the favourite, and deceived by the king, met together in 1310 to concert measures to compel Edward to keep his word. Quickly after they presented a petition to him, wherein they set forth, that the state and his own household were so ill managed, that it was absolutely necessary to find means to prevent the consequences of these disorders; telling him also, that the only method which to them seemed proper, was for the king to leave to certain lords appointed by the parliament, the care of making a regulation for the well-governing the kingdom and his own domestic affairs. Edward had already shewn great signs of weakness in his regard for their former demands; from whence he had made them sensible, that if for the future they expressed any resolution, he would not have the courage to gainstay them. They were not mistaken in their conjectures; this prince, as timorous on certain occasions, as he was proud and haughty on others, was incapable of distinguishing when he should give way, and when it was necessary to stand his ground; and instead of complying with the request of the barons, he obstinately persisted in acting contrary to all the rules of politics. However, being unable to resist them any longer, he yielded to their importunity; and permitted the parliament to chuse seven bishops, eight earls, and six barons, to make the regulations proposed.

Pursuant to the king's consent, the lords finished the regulation, and presented the plan of it to the king, who having approved of it, gave them power to cause it to be observed for one year. It contained but six articles, the principal of which were these: "That the king should not have it in his power to dispose of any part of his revenues, which should for the future be expended in paying his debts, and maintaining his household, that he might live on his own income without taking any thing from others. That the Great Charter should be punctually kept: and in case any article should be obscure or doubtful, it should belong to the lords elected (who were styled ordainers) to explain it." The lords, finding the king still continue to heap favours upon Gaveston, drew up one and forty new articles, in 1311, which they obliged the king to assent to; one whereof expressly sentenced Gaveston to perpetual banishment.

Edward having thus suffered himself to be bound with fetters which he could not shake off, came to a resolution, though with extreme regret, to part with his favourite. But in some measure to take off the stigma of banishment, he gave him an imaginary commission to levy troops in Guienne, in order to assist the earl of Foix, who had been embroiled in a quarrel with the court of France, which was no longer of any consequence. Notwithstanding this, Edward, who could not live without him, recalled him without acquainting the ordainers with it in 1312. Shortly after he sent circular letters to all the sheriffs of the kingdom, acquainting them with what he had done. He told them, that being bound by the oath he took at his coronation, to see the laws of the realm justly executed, there was no authority which could absolve him from it: that Gaveston having been banished by a notorious act of violence, and without a legal sentence, he could not deprive him of the benefit of the law, which all his subjects were equally intitled to: that therefore, he had caused him to return into the kingdom, not with any design to screen him from justice, but that he might be tried according to the usual form:

that in the mean time, he looked upon him as a good and faithful subject, and ordered them to publish this declaration in their respective jurisdictions. This mode of proceeding did not displease the lords, as it furnished them with an opportunity to complete the downfall of a favourite who could not be torn from him without violent means. In order to carry their resolve into execution, they endeavoured to gain the people to their side by depreciating the conduct of the king. They publicly declared, that there was no depending upon what was enacted by the parliament, since the king had no regard to it. That it was easy to perceive that the king was aiming at arbitrary power, and that it was the whole nation's concern to oppose the beginnings of a despotic power, which tended to render the subjects so many slaves. These discourses being supported by the emissaries which they had among the people, began to create an universal discontent, of which the king had but too much reason to dread the consequences. He imagined he should be able to prevent them by publishing a proclamation, wherein he protested that his intention was to observe the one and forty articles. But his protestation became of no effect, on account of his recalling his favourite. In the mean time Gaveston, still more indiscreet than his master, instead of endeavouring to appease his enemies, behaved in a very unbecoming manner to the queen; who not having been able to get any satisfaction, complained to the king her father. She told him that Gaveston was the sole cause of her misfortunes.

The barons, however, kept their first design in view. Henry de Lacy, earl of Lincoln, was one of the most considerable of the barons, as well on account of his birth and high offices, as of his age and experience. As he was confined to his bed by a fit of sickness, which in all appearance would lay him in his grave, he was apprehensive that after his death the confederates would grow cool, and was willing to endeavour to prevent that accident which would have caused their ruin. Hereupon he sent for the earl of Lancaster his son-in-law, grandson to Henry III. and conjured him in the strongest and most moving terms, not to abandon the church and people of England to the mercy of the popes and kings. He told him that his birth obliged him to exert himself to free the kingdom from the oppressions which it unfortunately laboured under. He charged him to have always a great regard for the king; but at the same time, he added, that his regard ought not to hinder him from doing all that lay in his power, to remove from the king's perion, such foreign ministers and favourites as were become pernicious in the king's council, and dangerous to the privileges of the people. That honour, conscience, the good of the public, called upon him to procure the observance of the Great Charter, which was the only basis of the welfare and peace of the kingdom. He advised him to join heartily with Guy de Beauchamp, earl of Warwick, who among all the confederate lords was best able to carry on the important undertaking. It was not long before the effects of his advice were observable. The earl of Lancaster having entered into a strict confederacy with the earls of Warwick, Pembroke, Arundel, Hereford, Warren, the archbishop of Canterbury, and several other bishops and barons, they unanimously resolved to take arms, under the usual pretence of defending the rights of the church and state. They then chose the earl of Lancaster \* general of the army, which they had resolved to set on foot. Immediately after this resolution was taken, the confederate barons publicly levied troops. They used such expedition, that in a short time their forces were drawn together at the place appointed for the rendezvous. It was impossible Edward should be ignorant of these preparations; and yet, he seemed wholly uncon-

\* He was son to prince Edmund, son of Henry III. and earl of Lancaster, Leicester, and Ferrars, and in right of his wife, of Lincoln and Salisbury. Besides he had a great estate in

Yorkshire, Cumberland, and Wales, and was earl of Artois in Picardy, and consequently the greatest subject in the kingdom.



cerned about the matter. Instead of endeavouring to satisfy the incensed barons, or to defend himself against their insults, he minded nothing but his diversions at York, where he was then with Gaveston. He still continued to heap new favours upon his favourite, remaining in a surprizing indolence, whilst he saw the whole kingdom ready to rise against him. At the very instant that he saw the barons in arms to compel him to observe the one and forty articles, he violated one of the chiefest, in making the bishop of Litchfield high-treasurer without the consent of the ordainers; but this was not the only fault he committed on the occasion. As if he had been in a condition to give laws to the barons, he would at the same time reform the regulation, on pretence that he had reserved to himself the power of correcting and amending, with the advice of the ordainers, some articles prejudicial to his prerogative, and even nominated commissioners to set about the alterations.

The barons having drawn their forces together, marched directly towards York, believing they should surprize the king, whose supineness gave them room to expect success. But upon the first notice of their approach, he retired to Newcastle, whither they immediately followed him. That town not seeming to him strong enough, he left it and went to Scarborough, where he shut himself up in the castle, which he looked upon as the best fortress he had in the north. He began then to see his folly in deferring so long to prepare for his defence: he then resolved to go into Warwickshire, where he expected he should be able to raise an army, upon the vain hopes that the people would flock in crowds to enlist under his banner; but as he was in greater concern for Gaveston than for himself, he left him at Scarborough, recommending him to the care of the governor as a precious *depositum*, and a sure pledge of the great trust he put in him. Whilst Edward was seeking forces, the barons entered Newcastle the day he left it, and seized all that the king and his favourite had left there, the hurry wherein they went off not having given them leave to take any thing with them. In Gaveston's baggage were found a great many jewels, which for the most part belonged to the crown, and of which an exact inventory was taken, that an account might be given of them hereafter. As soon as the earl of Lancaster was informed that the king was gone from Scarborough, and had left Gaveston there, he sent the earls of Pembroke and Warren to besiege that castle. At the same time, he marched himself with the rest of the army towards the center of the kingdom, that he might have it more in his power to oppose the designs of the king. The two detached earls having advanced towards Scarborough without opposition, formed the siege, and carried it on with vigour. Though the place was one of the strongest in the kingdom, it was so ill-provided with necessaries for its defence, that in a few days Gaveston delivered himself into the hands of his enemies. He obtained, however, a sort of capitulation, whereby it was promised him that he should speak with the king, and be tried by his peers according to the usual forms of law.

Edward had no sooner received notice of his favourite's having fallen in the hands of the barons, than he solicited for his liberty, or at least that they would grant him the privilege to see and speak with him as had been promised. He even conjured the confederate lords to spare the prisoner's life, assuring them, upon that condition, he would give them entire satisfaction as to every grievance they might have occasion to complain of. The majority of the barons were not for carrying Gaveston to the king, well knowing that his requests

tended only to get him out of their hands. But they consented to it at last, upon the earl of Pembroke's representing, that having given his word in the name of all the confederates, they were bound to perform it: that if they would trust him with the custody of Gaveston, he would take upon him the charge of letting him speak with the king, and of bringing him back to any place they should think fit to appoint. Pembroke designed to conduct his prisoners to Wallingford-Castle, where the king was to go and speak with him. Accordingly, having taken the road towards Oxfordshire, he advanced to Dodington, where he left Gaveston under a guard, whilst he himself went and lodged in a neighbouring castle. He did not think it necessary to use greater precaution in a place where the king had no troops, and where, consequently, he had nothing to fear from him: but he found he had taken his measures very ill. The earl of Warwick, who was violently against this interview of the king and Gaveston, having been informed of the circumstances, went that night to the house where Gaveston lay under guard, and carried him off by force to Warwick. On the morrow, this same earl, with some others of the most violent of the party, having tried him in a hasty manner, ordered his head to be struck off, which was accordingly done in the presence of the earls of Lancaster, Warwick, and Hereford, on Blacklow-Hill, near Warwick.

Though Edward was highly incensed against the barons, it was not in his power to be revenged, and the lords made no step towards giving him any satisfaction for this outrage. On the contrary, they demanded with greater haughtiness, the performance of the forty articles\*, and a speedy redress of the state grievances. They then marched towards London, whither the king was retired, determined to obtain by force, what he would never grant them voluntarily. During their march, the king, not daring to trust the citizens of London, went to Canterbury, where he was hardly any safer. In this extremity, he had recourse to the mediation of the pope's nuncio, and of Lewis, earl of Evreux, uncle to the queen, who was then in England, and of Gilbert de Clare, the earl of Gloucester†, his nephew, who as yet had stood neuter. By the means of these three mediators, certain articles were agreed upon, with which both seemed to be satisfied‡.

The barons, on their part, punctually performed their word in 1313, in restoring whatever had been seized at Newcastle: but Edward did not act with the same justice. He delayed publishing the general pardon above a year, and during that space left no stone unturned to get the earl of Lancaster to court. Notwithstanding the safe-conducts he offered him, the earl would not be persuaded to put himself in his power before the pardon was proclaimed. At length, the barons weary of the evasions made use of by the king, began to take arms again, when the king of France sent the earl of Evreux his brother, accompanied with Enguerrand de Marigny, to endeavour to accommodate matters. The queen likewise used every means she was able to effect a reconciliation. It was very difficult to bring it about, because the king still delayed the publication of the promised pardon; so that the barons believed he never designed it. During the negotiation, the king conferred with the king his father-in-law, and left orders that the parliament should meet in his absence. The earl of Lancaster and the barons of his party, made no scruple to be present, encouraged thereto by the king's being absent. But having heard that he was returned, and landed at Sandwich, they immediately withdrew, not caring to trust to the safe-conducts he had sent them from the

\* It is to be observed, that by the death of Gaveston, one of the articles became useless, so that only forty remained.

† He was the son of Joanna de Acres the king's sister.

‡ The lords obliged themselves to restore all the plunder taken at Newcastle, publicly to ask the king's pardon, and declare to him, that without any design against his person,

their sole aim had been to redress what was amiss in the government. The king promised, on his part, to grant a general pardon to them and their adherents, and reserved the power of doing the same in favour of all that had been for Gaveston's return.



place of his landing. Their departure obliged the parliament to break up. Affairs being in such a posture as a fresh rupture was every moment expected, the mediators were so urgent with the king to give the barons satisfaction, that he could no longer defer it. He ordered therefore, the two general pardons to be drawn up, which were confirmed shortly after by the parliament\*.

Whilst this negotiation was in hand, the queen was delivered in the beginning of October 1313, of a prince, who was christened Edward.

By reason of the disturbances between the king and the barons, we have neglected to give our readers an account of the Scotch war, merely because we would preserve the thread of our discourse, and because it was better to treat of these affairs separately, than to intermix the one with the other. But to proceed: whilst England endured violent shocks by the weakness of its prince, Scotland grew stronger every day, by the prudent conduct of a courageous and watchful king, who knew how to make the best of the respite which the death of Edward I. had procured him. Robert Bruce, who may justly be called the Restorer of the Scotch monarchy, suppressed the factions which divided his subjects, and united them all in the design of shaking off the yoke of servitude which Edward I. had laid upon them. By this happy union, he was in a condition not only to recover the best part of his country, but also to carry his arms into England.

Edward I. had resolved utterly to destroy Scotland, and, in all likelihood, he would have reduced the kingdom to a wretched condition, if death had not snatched him out of the world very opportunely for the Scots. Robert Bruce was preparing to take advantage of the consternation the loss of Edward had caused among the English: but being seized with a fit of sickness, he was hindered for some time from entering upon action. The Scots at present knew nothing yet of the character of Edward II. and were in great perplexity, their king being dangerously ill, and their forces much inferior to those of their enemies. The sudden resolution Edward II. took to return into England, after having advanced as far as Dumfries, and struck terror into the whole kingdom, gave them room to hope better things. The impatience he was in to meet Gaveston, to marry the princess designed for him, and to get himself crowned, drove out of his head all thoughts of war, to which, however, he had naturally no inclination. So that leaving his army under the conduct of John Cumin, a Scotch lord, he set out for England. This transaction raised great murmurings both in the army and kingdom. Cumin willing to take advantage of Robert's illness, whom he thought incapable of heading his troops, advanced towards the Scots in order to attack them. Though Robert found himself extremely weak, he believed it would be his best way to give him battle, fearing that his subjects would be disheartened, and his kingdom lost, if he made a moment's delay. With this resolution, having mounted on horseback, notwithstanding his illness, supported by two equires, he drew up his army in battle array, and waited the coming of the enemies with a steadiness which had a wonderful effect. The weak onset which the English made inspired the Scots with fresh courage, and they fell with great fury upon their enemies, putting them entirely to the rout. This defeat was so much the more shameful for the English, as, besides that they were vastly superior in numbers, they were the same troops, which had so frequently vanquished the Scots, and which suffered themselves now to be worsted by an army levied in haste, and made up of raw and undisciplined soldiers. Cumin retired into England after his defeat, and Robert entered the county

of Argyle, that still belonged to the English, which he ravaged all over. Shortly after Edward Bruce his brother got the better of the English, in the county of Galloway. These two victories raised the spirits of the Scots, so that they began to despise the English, and forget their past losses.

Notwithstanding the little inclination Edward might have had for war, he could not avoid endeavouring to put a stop to the progress of the king of Scotland. In 1308, he led in person a powerful army into that kingdom; but having taken no care for provisions, he was constrained to march back into England for want of subsistence. Edward's retreat gave the king of Scotland an opportunity to become master of several places in possession of the English, and to make that year a very prosperous campaign. The troubles which afterwards happened in England about the affair of Gaveston, put that prince in a condition to make a still greater progress. In 1310 and 1311, he entered England twice, and carried off a great booty. In 1312 he recovered Perth, Lanerk, Dumfries, Roxborough, and, lastly, Edinburgh-Castle, which was taken by storm by the earl of Murray his general. This year the little Isle of Man voluntarily submitted to him. Whilst Robert continued his conquests, Edward employed his time in seeking means to be revenged on the barons for putting Gaveston to death, and was consequently negligent with regard to his affairs in Scotland. In the mean time Robert sent, in 1313, Edward his brother to besiege the town and castle of Sterling, which was at that time the strongest in Scotland. The siege was carried on vigorously; and the besieged made as brave a defence. However, Mowbray, the governor of the place, finding his matter made no preparations to relieve him, thought he should do him good service in signing a capitulation, whereby he bound himself to surrender the town in a year, if it were not relieved before that time.

Edward having by that means all the leisure necessary to get ready, and being desirous at any rate to prevent the loss of so important a place, ordered his vassals to be summoned with their troops. The English, Gascons, and Welsh, were so ready to obey him, that by June, 1314, he was at the head of a hundred thousand men. The soldiers already devoured, in their imagination, whatever the preceding ravages of Edward I. had left in Scotland. Only the earls of Lancaster, Arundel, Hereford, and the new earl of Warwick, refused to serve the king on this occasion; the mistrust they were in upon his account, not permitting them to come and put themselves in his power. This numerous army having entered Scotland, advanced within view of Sterling, where Robert waited his coming at the head of thirty thousand men inured to the fatigues of war, and who had frequently triumphed over the vanquished English. He drew up his army on an advantageous piece of ground, where he could not be surrounded. A mountain full of inaccessible rocks covered one of his flanks, and the other was safe by means of a deep morass. Notwithstanding the inequality of the two armies, the Scots, who were determined to conquer or die, received their enemies with that vigour and resolution, that they soon put them in disorder and confusion. The English horse having been pressed at first with a fury which they could not withstand, were the occasion, by their flight, of the defeat of the whole army: a defeat the most dismal England had ever experienced since the beginning of the monarchy†. The Scotch writers make the enemy's loss amount to fifty thousand men. They also affirm, that the number of the prisoners which they took on this occasion exceeded that of the conquerors. The earl of Gloucester, nephew of

\* These general pardons did not fully satisfy the parties concerned, and they required a particular pardon to four hundred and sixty-eight persons, whose names are mentioned in the Collection of Public Acts, vol. III. p. 442, 443, 448, 449.

† The battle was fought on the 25th of June, 1314, by the No. XXII.

river Banockburn. It is said that the Scots had digged trenches three feet deep and as many broad, into which, being covered over with hurdles and drove full of sharp stakes, the English horse fell, and by that means were miserably slaughtered. Tindal.



Edward II. with many other lords of distinction, and above seven hundred knights, lay dead on the field of battle. The English reduce the number of the slain to ten thousand, but the consequences of this action discover that their loss was much greater, since Edward durst not enter the field again. Edward, with the remains of his army, hastily retreated, without thinking himself out of danger till he arrived at York, where those who had been dispersed by their flight came together again. By this means he formed a very considerable body, and shewed some willingness to re-enter the enemy's country, but the consternation of his troops was so great, that he could not prevail with them to make a fresh attempt to retrieve their honour.

This year, one Poidras, a tanner's son of Exeter, fought to take the crown of England from Edward; by asserting, that he was himself Edward, and that he had been changed by his nurse: but this extraordinary and ill-formed project served only to bring the impostor to the gallows instead of a throne.

The loss the English had suffered in Scotland was followed by a dreadful famine which began in 1315, lasted three years, destroying an infinite number of people. In vain did the parliament endeavour to help it by settling the price of provisions; they were forced the next year to revoke the act that had been passed on that account. But neither war nor famine, nor the murmurings of the people, were able to hinder the king from expending a large sum in celebrating the funeral of his favourite, whose body he caused to be removed to King's Langley in Hertfordshire.

The famine in the mean time raged in so terrible a manner, that one can hardly give credit to what historians assert concerning it, under the year 1315. They are not content with telling us, that the most loathed animals were made use of for food, but that the people were compelled to hide their children with all imaginable care, lest they should be stolen away and eaten by thieves. They assure us, that men themselves took care to prevent their being murdered in private places, knowing there were but too many instances that some had been treated in that manner, to feed such as could find subsistence no other way. We are told likewise, that the prisoners in the gaols devoured one another in a barbarous manner, the extreme scarcity of provisions not permitting that they should be allowed necessary food. The bloody flux, caused by gross feeding, completed the misery of the English. Such numbers died every day, that hardly could the living suffice to bury the dead. The only remedy which could be found against the famine, but which was not capable of bringing in all the relief necessary, was to prohibit, on pain of death, the brewing any sort of beer, to the end that the corn usually expended by the brewers, should be converted into bread.

Notwithstanding these dreadful calamities the mutual hatred which the king and barons had long since harboured in their breasts, was observed daily to increase. Edward, not being able to forget the injuries he had received, entertained in his heart a strong desire of revenge, which made him in 1317, seek all possible means to gratify it. He was chiefly exasperated against the earl of Lancaster, whom he looked upon as the sole author of his disgraces, and as his most dangerous enemy. If the earl's life had been in his power, without doubt he would have sold a sacrifice to the indignation of the prince. But as his dissimulation had not been capable of drawing him into any snare, he attempted to deprive him of his estate and honour. To that purpose, he brought him into such a premunire, as the most extravagant distrust could not have been able to prevent. Whilst the earl kept at a distance from court, Sir Richard de St. Martin, a man of a mean look and dwarfish stature, presented to the judges a petition, claiming the wife of the earl of Lancaster, heiress of the families of Lincoln and Salisbury. He set forth in his petition that he had known her carnally, and that the had made him a promise of marriage before she was

contracted to the earl. The countess, dissatisfied with her husband, having, to her eternal shame, confessed the fact, was awarded with all her estate to the unworthy claimant. The affair, which would now-a-days have required a long examination, was decided in such haste, that it was easy to perceive, that the judges, who were in this instance the tools of the king, had consulted with each other on the subject before they were assembled to determine the matter, and that the king himself had been the promoter of it. An injury of this nature done to a prince of the royal blood, exceedingly beloved of the people, raised an extreme indignation against the king. Nothing was heard but murmurings against his government. This year Edward dining in public in Westminster-Hall, upon a particular occasion, received a letter from a woman in a mask, who came on horseback. The king imagining it contained something to divert him, ordered it to be read aloud; but he was very much surprized when nothing but outrageous reproaches for his cowardice, tyranny, and the grievances introduced in his reign, were declared. The woman having been apprehended, confessed that a certain knight had put her upon playing that part, and the knight boldly maintained, that believing the king would read the letter in private, he thought it the most proper way to let him know the complaints of his subjects.

The barons having presented a petition to the king, containing a list of the grievances which the nation complained of, demanded a speedy redress: but the king, having no inclination to satisfy them, referred the matter to the parliament which was to meet at Lincoln. An invasion which the Scots made at the same time, afforded him a handle to prorogue the parliament several times, and at length to dissolve it. This proceeding incensed the barons, that they unanimously in 1318 resolved to take arms, to obtain by force the satisfaction the king delayed to give them. They would doubtless have bore hard upon this weak prince, incapable of holding the reins of government at so nice a juncture, if some lords of more moderation had not joined with the pope's legate in endeavouring to reconcile them to each other. By the means of these mediators an agreement was made and signed at Leek, on the 9th of August, 1318, and confirmed three days after by the parliament which the king had called, upon the pressing instances of the mediators. After this affair was ended, the king and earl of Lancaster met on a plain near Leicester, embraced, and kissed each other in token of a perfect reconciliation. Let us now return to the war with Scotland, which still continued during the convulsions in England.

After Robert had obtained near Sterling that signal victory which proved so fatal to the English, he pursued the vanquished into England, where he ravaged the country, whilst Edward durst not stir from York to oppose his enemy. The king of Scotland, not satisfied with this advantage, formed the project of adding the crown of Ireland to that of Scotland. This island had for a long time been governed by English lords, who had been more industrious to enrich themselves, than to promote the welfare and good of the people. Their arbitrary proceedings had created an universal disgust in the breasts of the Irish, who wanted only a favourable opportunity to revolt. The defeat of the English at Sterling having given them room to believe, that the present juncture was very proper to put their design in execution, they sent word to the king of Scotland, that they were ready to cast off the yoke of the English, provided he would give them some assistance. Robert was determined not to let this fair opportunity slip, and therefore sent thither some troops under the command of his brother Edward, who having headed the rebels, conquered the greater part of the island, and was acknowledged for king. Whilst he was carrying on his conquests, Robert amused the king of England with proposals of peace, which he seemed to make in good earnest, and with great eagerness: but he artfully raised from time to time, difficulties which hindered matters from being concluded. He spun out the negotiation in this



this manner till 1317, without Edward's perceiving his artifices. Edward now observing a general discontent among his subjects, sent a powerful reinforcement, under the conduct of Mortimer, to that island. With these succours the English, finding themselves able to take the field, marched to attack the Scotch prince. In the mean while, the king of Scotland, who had received intelligence how much his brother stood in need of being speedily relieved, was gone himself into Ireland; but upon his arrival, he heard that his brother was defeated and slain in a battle he had rashly engaged in. Robert's loss on that occasion having broken all his measures, and disabled him from continuing the war in that country, he thought it more prudent to improve the advantages his arms had gained in Scotland. Whilst he was gone, Douglas, one of his generals, had worsted the army which the king of England had sent into that kingdom, in order to take the advantage of the absence of Robert. On account of this victory, the English were not able to make head against the Scots, so that Robert laid siege to Berwick, which was still in the hands of the English. He could not prepare for it without Edward's having notice of it; but his knowing it was to little purpose, seeing he had neither money nor troops sufficient to prevent the design of his enemy. In this extremity he applied to the pope in 1319, and earnestly intreated him to interpose his authority, in order to procure him a peace, or at least a truce with Scotland. John XXII. who had lately succeeded Clement V. immediately granted Edward's request. Hereupon his holiness sent two legates into England, with a power which shewed, that he looked upon himself as invested with sovereign authority over all kings, even in temporal affairs. Their commission ran, that they were to make peace between the two nations at war, in what manner they thought fit, and to compel both princes to accept it, on pain of excommunication, and an interdict upon their dominions. But as he judged such a peace could not be made without some debate, which would have taken up time, he ordered his legates to cause a two years truce to be published in his name, and by his authority, and gave them power to excommunicate those who refused to observe it. Upon the arrival of the legates, the truce was proclaimed. Edward paid an implicit obedience to it, not considering that by so doing, he sacrificed to the court of Rome the most authentic prerogatives of the crown: but Robert, who pretended that the pope and legates gave him not the title of king, would never permit the last to enter Scotland, much less to proclaim the truce there. He even roughly handled the superior of the Cordeliers of Berwick, whom the legates had sent to him, and who had partly published the truce in the presence of several Scotchmen. Robert was so far from obeying the pope, that he besieged and took Berwick by the treachery of the governor\*, if we may give credence to the English historians. Robert continuing his progress, advanced on the borders of England and committed great ravages, without meeting the least opposition from Edward.

Edward observing the progress of his antagonist, found then that the spiritual weapons of the pope were but of little service to him; and therefore raised an army, with which he would attempt to recover Berwick. Whilst he was employed in the siege, the earl of Murray, the king of Scotland's general, made a diversion in England, which proved very fatal to the borderers. In his return from ravaging several counties, he met a body of English militia, to the number of ten thousand, with the archbishop of York at their head. Though his forces were not near so numerous as those of Edward, he courage-

ously charged them, and obtained over these undisciplined troops a complete victory, above half of them being slain on the field. The Scots called this action *The White Battle*, from some English priests being killed in the fight with their surplices on. This accident obliged Edward to quit the siege of Berwick. Shortly after, with much sollicitation, he obtained a truce for two years; upon which he left the north, and returned to England, where he was no less unfortunate.

The truce, however, brought not to England the tranquillity expected from it. Hardly was it proclaimed, before the kingdom was involved in fresh troubles, much more violent than those caused by Gaveston. The old grudge between the king and the barons was still kept alive, and only waited for an opportunity to burst forth again. Unluckily an occasion was but too near at hand. The lords, ever jealous of those that were about the king's person, had introduced into court a young gentleman, Hugh le Despencer, whom they believed entirely devoted to their interests. They procured for him the office of high chamberlain, with a view to make use of him as a spy, that they might have information of what passed at court, where they seldom appeared; but their project turned against themselves. Despencer had a father named Hugh as well as himself, a person of courage and good sense, who gave him instructions which were diametrically opposite to those which had been given him by the barons. He made him sensible, it would be much more easy to make his fortune by labouring directly for himself, than by serving the barons: and that with a little patience and pliancy, he might put himself out of the reach of those whom he looked upon as his protectors. Despencer the son being inclined to put his father's advice in practice, found at first great difficulties. The king could not behold with a good eye a domestic who had already shewn too great an inclination for his enemies. Nevertheless in time, Despencer removed by degrees the ill prejudices of the king against him. As his design was to govern the king entirely, he scrupled not to become for some time his slave, by being wholly devoted to his service. By this complaisance, and by a general compliance to whatever was agreeable to the prince, from his spy, he became his confidant, and at length supplied in his heart the place Gaveston had formerly possessed. Being thus seated in the king's favour, he, by his excessive pride and insatiable avarice, made it soon wished that Gaveston had not been pulled down. Hugh his father, for whom he had procured the earldom of Winchester, had been till then a different character from what he then appeared†. An universal discontent soon became visible. The earl of Lancaster, a great favourite of the people, and as great an enemy to the king, notwithstanding their outward reconciliation, had formed a party strong enough to ruin the two favourites. He demonstrated to his friends, that their downfall and his own were infallible, if means were not taken to remove the Despenchers from court: that the king, who harboured a secret desire of revenge, was indeed incapable of carrying on a design: but that every thing was to be feared from that prince, assisted by his two new ministers, whose abilities far exceeded those of Gaveston. He added, that these ministers were less guilty than the other, of divers encroachments on the privileges of the people, and that they had hitherto laboured in vain to reduce the royal authority within due bounds, if they suffered the king to return to his former courses, and to trample upon the liberties of the subject. Hereupon the old association was suddenly renewed in 1320. As the confederate barons had every thing to fear from the

\* The name of this governor was Peter Spalding, who, it seems, was afterwards hanged by order of king Robert. Stow.  
† Rapin, speaking of the character of Hugh le Despencer the elder, says, "Nothing could be laid to his charge unbecoming a man of honour and honesty. In all the posts he had been promoted to by this and the late king, he had always behaved with a great deal of moderation, prudence,

and impartiality. But he knew not how to preserve the reputation he had acquired. A blind fondness for his son and ambition, which had seized him in his old age, made him fall into those excesses which rendered both him and his son odious to the nation, and particularly to the nobility." Vide Rapin, book ix.



abilities of the ministers, they lost no time in presenting to the king petitions, as they had done in the affair of Gaveston; for such a step would only have given their enemies leisure to prepare themselves. And, therefore, they levied troops with all the secrecy and expedition possible, in order to surprize the king and his favourites before they should have time to take measures against them. Their design was executed with that speed, that in a very short space, they drew together fifteen thousand men, with whom they ventured to take the field. Their first business was to plunder the lands of the Despensers, the which were left to the care of Roger Mortimer junior, so called to distinguish him from his uncle of the same name. He discharged his commission in so violent a manner, and with so little regard to the favourites, that in a few days the damage he did amounted to three score thousand pounds. This done, the barons sent some of their body to present a petition to the king, whereby they demanded the removal of the Despensers. Edward perceiving it was not in his power to curb their boldness, referred the matter to the parliament, not doubting but he should have interest enough with the commons, to protect the two ministers. But the resolution of the barons to continue in arms, disconcerted all his measures. Several members of parliament being at the lord's devotion, others awed by the army, and all in general not valuing the Despensers enough to run any risque for their sake, the two favourites were banished the realm without the king's being able to succour them. This parliament was called *The Parliament of the White Bands*, on account of certain white marks by which the partisans of the barons were to know one another. The king was therefore constrained to consent to the banishment of the Despensers. It should be observed, that the father was then out of the kingdom upon the king's affairs, and the son was ignominiously conducted to Dover, where he was shipped off, with great threats if ever he should presume to enter the kingdom again.

Edward repented the dishonour put upon him, and declared he would chastise the rebellious barons. The breach was also made wider by the queen, who on similar occasions acted the part of a peace-maker between the king and the barons, but who on the present occasion took care to excite him to vengeance, being exasperated at an affront she had just received from one of them, and of which she cast the blame upon the whole party\*. The queen, who was naturally of a haughty and revengeful disposition, could not persuade herself to let such an affront pass without resenting it. She plainly perceived that the union of the barons was the sole cause of Badlesmere's insolence, and therefore thought that in order to be revenged on him, the readiest way would be to break their association. The king waited for a favourable opportunity to take vengeance: but her impetuosity would admit of no delay. She persuaded Edward that a favourable juncture now offered to free himself from the power of the barons; that by immediately punishing the governor of Leeds, he would strike such a terror into the confederate lords, who did not expect any such thing, that they would not think of standing upon their defence, when they should see him with a sword in his hand, and in a condition to compel them to return to their allegiance by force. Hereupon Edward gave orders for the levying troops; but lest he should meet with any obstruction, through the fears of the people on that account, he issued out a proclamation, protesting that he took not arms to make a war on his subjects, but only to punish the insolence of a private person. This proclamation having a good effect

among the people, and the barons not chusing to engage the kingdom in a civil war for the sake of a single officer, the king raised an army without opposition. He then marched into Kent and laid siege to the castle of Leeds, which having taken, he ordered the commanding officer, Thomas Colepeper, with some other inferior ones, to be hanged. This success having caused him to forget his protestation, he made use of his arms to take vengeance on his enemies. With this view, he laid siege to some other castles belonging to the barons, and particularly to Warwick-Castle, which he became master of with the same ease. Thinking himself formidable enough, he recalled the younger De Spencer, who since his banishment had turned pirate, and plundered several English ships.

Edward continued his progress after the return of his favourite, and put the associated barons in the utmost consternation, they not having taken any measures for their defence; so that they were exposed to the fury of their enemies, who spared them not. The king, in the mean time, revoked the sentence of banishment against the Despensers, and recalled the father, as he had already done the son. The king's diligence cast the barons into so terrible a perplexity, that they knew not what course to take. His army was in the center of the kingdom, ready to fall upon the boldest of them. The people, as it usually happens on such occasions, joined with the strongest side, for fear of being oppressed before the barons should be able to protect them. In this extremity, the greatest part of the associated barons chose to submit to the king's mercy. Many of them refused to follow their example, was taken prisoner, some fled beyond sea for refuge, and others were confined in several prisons. Of the number of these was Roger Mortimer, junior, whom the Despensers closely confined in the Tower, but who doubtless would not have met with so favourable a treatment, had not his life been saved by a powerful intercession.

The earl of Lancaster's faction being extremely weakened by the defection, flight, imprisonment, or death of his adherents, the earl, with what few troops he could muster together, was constrained to retire into the north in 1322, where he expected the protection of the Scots, who had promised him succours. The rout he took, and some intercepted letters, discovered his intention to the king, who ordered Andrew de Harcla, a knight, governor of Carlisle, to draw together what troops he could, and go out against the earl in order to hinder his passing, or at least to keep him at bay, whilst he with his army should pursue him in person. What expedition soever the earl of Lancaster might make, and what precautions soever he might use to retard the king's march by destroying the country as he went along, he found himself obliged to halt, after having passed the Trent over Burton-Bridge, to the end he might oppose the passage of the army which pursued him. But Edward having retired, in order to pass over at another place, the earl resolved to stand his ground. Nevertheless, whether through doubts, or the fear which the superiority of the king's forces had inspired him with, he suddenly altered his mind. In hopes of being able to free himself from these streights, he advanced to Burrow-Bridge, where ran another river which afforded no other passage but over a bridge which Harcla defended. In this extremity, he was under a necessity either of fighting the king who was close at his heels, or of attempting to force this pass, before the royal army should come up. He chose the latter, and without loss of time, ordered the bridge to be attacked. The vigorous resistance of the enemy, the death of the earl of Hereford† who was slain

\* This occasion of the queen's resentment is thus transmitted to us by Rapin: "Whilst Edward was incensed against the barons, Isabella, designing to go in pilgrimage to Canterbury, sent some of her domestics before to prepare her lodging in the castle of Leeds, belonging to Bartholomew Badlesmere, one of the associated barons. As the whole party were then in great distrust as to the king, the officer who commanded in

the castle, denied the queen's people admittance. There was even one of them killed. So far was Badlesmere from claiming what was done, upon complaint made to him of it, that he was so hardy as to write the queen a very insolent letter, wherein he approved in express terms of what had passed."

† Humphrey de Bohun. This nobleman married Elizabeth, daughter of Edward I. and widow of the earl of Holland. He



slain in the beginning of the attack, and the dread which Lancaster's troops had of being surprized by the king who was advancing forwards, so disheartened them, that instead of continuing the attack, they all ran away, and dispersed themselves in the country. Harcla perceiving their disorder, hastily passed the bridge and pursued the run-a-ways, of whom great numbers were taken prisoners. The earl of Lancaster endeavoured in vain to rally his men, and having staid too long on the field with a few attendants, he could not avoid the misfortune of being taken himself, with ninety-five barons or knights; they were conducted to the castle of Pontefract. The unfortunate prince was exposed to the insults of the soldiers, who, in derision, called him *King Arthur*, on account of his going under that name in some of the intercepted letters. A few days after, the king being come to Pontefract, ordered him to appear in court before a small number of peers\*, who attended him, among whom were the two Despencers. By this little assembly, called in haste, was the earl condemned to be drawn, hanged, and quartered for a traitor. But on account of his high rank, the king ordered him to be beheaded. Nine other lords of his party were sentenced to the same punishment, and executed at York. The lord Badlesmere, the first occasion of the war, and four other lords, suffered the like death at London, Windsor, Canterbury, and Gloucester, in order to strike terror into the nation. Never since the Norman conquest, says Rapin, had the scaffolds been drenched with so much English blood as upon this occasion†. These inhuman proceedings were ascribed to the Despencers, who by that means rendered themselves odious to all the world, and begot in the hearts of the nobility an eager desire of revenge, which in the end was but too far satisfied.

In 1323, Edward resolved to march towards Scotland, imagining he should come upon Robert unawares, and repair by this one expedition, all the losses he had sustained since the beginning of his reign. Whilst he was in his own territories he met with provisions in plenty. Every one strove to supply the army, more out of fear than affection; but having fancied he should find the same conveniencies in the enemy's country, he bent his course towards Scotland, where he was much distressed for provisions; so that he was compelled to return with precipitation. But this was not all the dishonour he received from this ill-concerted expedition; for Robert pursued him closely, and overtook him at Black-More, where he eased him of his baggage, and was near taking him prisoner. The English army being all dispersed on this occasion, Robert kept on his march, ravaging the country as far as York. At last, having burnt the monastery of Rippon, and ransacked the abbey of Beverley, he returned home loaded with the spoils of those religious houses. What grounds soever that prince had to expect great advantages from

the continuation of the war, he entered into a negotiation for a truce, which was concluded on the 13th of May, 1324, for thirteen years. He consented the more readily to this truce, as he was forced to give some respite to his subjects exhausted by so long a war.

Edward now sat down in tranquillity, but his peaceful hours were frequently embittered by the painful remembrance of the death of the earl of Lancaster, inasmuch, that upon the petition of some lords to procure a pardon for some condemned criminal, the king exclaimed, "Is it possible that such a wretch as this should find so many friends to plead for him, whilst not a soul was found willing to intreat me for the earl of Lancaster‡, my near relation? No, it shall never be said that after having put to death that prince, I pardoned a villain which so highly deserves to die."

After the death of the earl of Lancaster, and several other lords of the same party, the Despencers did, in the king's name, whatever they thought best suited with their own interests, without troubling themselves about a party reduced to the last extremity. But their unbounded pride and avarice, added to their immoderate thirst for revenge, would not permit them to remain long in the high station they had attained to. To complete their vengeance, they threw the kingdom into greater and more fatal troubles than those it had lately been convulsed with. Not content with having put to death the leaders of the opposite party, with having deprived others of their estates, and with having condemned great numbers to perpetual banishment, they believed they were not yet safe, till they should get rid of three persons who made them very uneasy, and against whom they were extremely incensed. These were the bishops of Lincoln and Hereford, and Roger Mortimer, junior. The last had done them a great deal of damage, and was in their power, being actually a prisoner in the Tower of London.

Adam Orleton, bishop of Hereford, had been promoted to that dignity by the interest of pope John XXII. notwithstanding the king's endeavours to the contrary. This prelate had shewn but little regard for the court on that occasion, and rightly judged that the king would not fail to be revenged on him, if an opportunity should at any time offer. For this reason he joined the earl of Lancaster's party, in order to screen himself from the persecution he so much dreaded. The affairs of the kingdom having taken a different turn from what he expected, and the king keeping up his resentment against him, his ruin was determined. To that end he was summoned to answer in the king's court to the charge of high-treason, which had been entered against him. He appeared, but refused to plead in any but the ecclesiastical court, insisting upon the privilege of his order. This refusal would have done him but little service, had he not been backed by the archbishops of Canterbury and Dublin§. The king and his ministers were very desirous

is said to have been thrust through the belly by a Welsh soldier from under the bridge through a chink.

\* Whose names, according to Dugdale, were the earls of Kent, Warren, Winchester, Athol, and Angus.

† And Speed has given us the following list of the names of the barons that were put to death:

The earl of Lancaster; the lords Warren, Lisle, William, Tochet, Thomas Mandute, Henry de Bradburn, William Fitz-William, junior; William Cheney, at Pontefract; Roger Clifford, John Mowbray, Jocelin D'Eivill, at York; John Gifford, at Gloucester; Henry Teyes, at London; Francis de Aldenham, at Windsor; Bartholomew de Badlesmere, and Bartholomew de Ashburnham, at Canterbury. Seventy-two knights, besides those hanged in chains, were shut up in prison, who, upon the payment of heavy fines, were afterwards set at liberty, says De la More.

‡ The character of Thomas, earl of Lancaster, says Rapin, was hardly less ambiguous than the earl of Leicester's in the reign of Henry III. The king's and the Despencers's party called him villain and traitor, one that, having taken arms against his sovereign, was justly condemned to die. But the people in general had his memory in great veneration, looking upon him as a real martyr for liberty. Immediately after his

No. XXII.

death they flocked in shoals to his tomb, in the priory of Pontefract, Yorkshire, where it was pretended many miracles were wrought; inasmuch that the church was ordered to be shut up. The king was even obliged, strictly to command the bishop of London to put a stop to the superstition of the people of his diocese, who offered their devotions to the earl's picture, which had been hung up in St. Paul's church. Without doubt the uncertainty concerning the character of this prince would have lasted much longer, if two things had not determined people in his favour. The first was the punishment of Harcla, who having been made earl of Carlisle, as a reward for the service he had done the king, incurred the displeasure of the Despencers, and lost his head. He was accused of holding intelligence with the Scots. The second was the canonization of Lancaster in 1389, at the request of Edward III. son of him that had taken away his life. After this there was no room to question the sincerity of his intentions; at least it was no longer permitted openly to defame his memory. The pope was solicited to canonize him in 1327, and king Edward III. permitted a chapel to be built over the place where the earl was beheaded: but his canonization was not completed till Richard II's reign in 1389.

§ These prelates, says Rapin, looking upon the sentence

3 T

which



desirous to get rid of this bishop, but the opposition of the clergy hindered the judges from passing sentence, and the affair was referred to the parliament. Whilst the suit was depending, the king ordered the temporalities of the accused party to be seized. The bishop of Lincoln, who was in the same case, plainly perceived by the step the king had just made, what he was to expect himself, if the bishop of Hereford was condemned: so that the two bishops joined together, with a view to shelter themselves from the king's vengeance. Unluckily for him their endeavours succeeded but too well.

Shortly after these transactions, Roger Mortimer, junior, was condemned to death; but by the intercession of some very powerful friends, his sentence was changed to that of perpetual confinement. Notwithstanding this, he attempted to make himself master of the Tower, where he was confined, and likewise of Wallingford-Castle, by the help of his friends. His plot having been discovered, one of his accomplices was condemned to be hanged, and he himself once more had the sentence of death passed upon him. However, he again obtained his pardon. We cannot but think, with most other historians, that the queen was the person who interceded with the king, and who twice obtained a pardon for Mortimer. And we the more readily incline to this opinion, because she was incessantly complaining of the severities and cruelties exercised against the earl of Lancaster's party by the Despensers. She was even charged with criminal familiarity with Mortimer, and that not without foundation, if we may judge from the scandalous manner in which she afterwards lived with that personage. The Despensers treated her in a very disrespectful manner, insomuch that she complained to the king of France her brother, that she was used no better than one of the king her husband's domestic servants. The vexation they gave her, made her seek means to be revenged in her turn; this in reality is the source of the events we are about to relate, concerning which many historians have expressed themselves in a very obscure manner. Let us add here, in order not to return to Mortimer till there shall be occasion, that he soon found means to make his escape out of the Tower, and he concealed some time in England, notwithstanding diligent search was made to apprehend him. Though hue and cry was raised after him, which seldom fails of success, yet he had the good fortune to escape into France. Let us now proceed to the fatal effects of the love, ambition, and revenge, which at that time possessed the minds of the chief persons at court.

The peace which Edward I. had made with France was still in being, notwithstanding some disputes between the two crowns in the reigns of Lewis Hutin, and Philip le Long, sons and successors of Philip the Fair. Upon Charles the Fair's ascending the throne of France, after the death of his brothers, these differences were considerably increased, on account of the jurisdiction that prince pretended to over Guienne, as sovereign lord of that duchy. It is even probable that Charles, dissatisfied at the ill treatment queen Isabella his sister met with in England, sought occasion to give Edward marks of his resentment. An unexpected accident happening in Guienne, afforded that monarch a plea to make himself satisfaction. Hence flowed all those misfortunes which afterwards fell upon the head of the king of England. At a town in Agenois called St. Sardos held of the castle of Montpezat, some outrage was committed in 1324, which Edward's officers in Guienne neglected to redress. Whereupon the parties concerned carried their complaints to the king of France as sovereign lord. Charles omitted not this opportunity to improve his right over Guienne. He persuaded the court of peers to sentence the lord of Montpezat, and some other Gascon gentlemen to banishment, and to confiscate their castles

to the crown of France. By virtue of this sentence, given without summoning the king of England, or his officers, Charles would have taken possession of the castle of Montpezat; but he was prevented by the English, who placed a strong garrison there. This opposition occasioned another sentence, whereby the garrison was declared guilty of felony, for opposing the execution of the former sentence. Mean while the king of France ordered troops to be raised in Perigord, and the neighbouring provinces, with design to besiege the castle. He complained that Edward had not done him homage for Guienne and the earldom of Ponthieu, and from thence he had a pretence to confiscate these provinces, if his arms met with the success he expected. To this end, he sent a formidable army into Guienne, under the command of Charles de Valois his uncle, who made himself master of several places. Edward, instead of giving the king his brother-in-law some satisfaction, by doing justice to the parties aggrieved in the affair of St. Sardos, and by tendering him the homage due to him, still kept his character of neglecting great matters for the sake of trifles. It is true, he sent commissioners into Guienne, with orders to make inquiry concerning the business of St. Sardos. But they had also other instructions, by which they were to endeavour to oblige the plaintiffs to drop their appeal. As for the homage, though he did not pretend to dispute it, he excused him from doing it, on pretence he had never been summoned in form. In the mean time he sent the earl of Kent his brother, to command in Guienne, but with so few troops, that the earl did not dare to keep the field, and therefore shut himself up in Reole, where was besieged and forced to capitulate.

By the negociation at Paris, a treaty was agreed upon between the king of France and the earl of Kent, which treaty Edward refused to ratify. This gave the earl of Valois time to push his conquests in Guienne. At length Edward, perceiving the duchy to be in danger of being lost, made some preparations for war, which occasioned the court of France to equip a fleet to oppose that which the English were sending to sea. The Despensers, ever upon the watch for opportunities to injure Isabella, laid hold of this to deprive her of the earldom of Cornwall, which had been assigned her for her own private use. They told the king, that it would be dangerous to leave Cornwall in the hands of the queen, when he himself was at war with her brother. They added, that in all appearance, the fleet the French were fitting out, was designed for an invasion from that quarter. Hereupon Edward re-assumed that earldom, and told the queen, that he thought she was capable of holding a criminal correspondence with the enemies of the state. She highly resented this affront, which, joined to so many other reasons of disgust against the Despensers and the king, in all likelihood hastened on the project, the particulars whereof we are now about to relate.

Notwithstanding the preparations which Edward had made for war, it was not by the force of his arms that he expected the restitution of what had been taken from him. His chief reliance was on the pope, who having been chosen mediator between the two crowns, put him in hopes of a good issue of the affair. To bring about this accommodation, the pope sent two nuncios to Paris in January, whither ambassadors from England likewise repaired. But the negociation went on so slowly, that the English shewed some uneasiness at it. As they seemed inclined to return home, a person of great note in the court of France took occasion from thence to insinuate to the nuncios, that if the king of England would send his queen to Paris, there was no doubt but she would obtain from the king her brother, much better terms than the ambassadors could expect. The nuncios having made this proposal to the English plenipotentiaries

which the king's court was going to pronounce, as a manifest violation of the church's liberties, went in company with several other bishops, and forbade the king's judges to take cog-

nizance of the case. At the same time they threatened them with excommunication, if they were so hardy as to proceed.



ries, it was resolved that Walter Stapleton, bishop of Exeter, one of them, should take a journey to London, in order to persuade their master to follow the course pointed out to them\*. It was not therefore a contrivance invented by the Despensers to get rid of the queen as some have affirmed, seeing the project came first from France. It is much more likely, that the queen herself had advised the king her brother to it, that she might have an opportunity of going to Paris, and of setting about the execution of the plot she had formed against the king her husband and his favourites. Be that as it will, the proposal having been debated in the council, it was thought that any expedient was preferable to war, as matters then stood in England; and Isabella was desired to proceed on her journey, which she seemed to consent to merely with a view to make peace between the two kings. Immediately after her arrival at Paris, she obtained a short truce, during which she concluded a treaty with the king her brother. By this treaty the duchy of Guienne was to be wholly delivered up to the king of France; that afterwards both the kings should meet at Beauvais, where Charles, at the instance of the queen his sister, should restore Guienne to Edward, upon his doing homage for it. That in this restitution the country of Agenois, lately conquered by France, should not be included: but that the king of England should be allowed to sue for it in the court of peers, where justice should be done him. And in case the court should decree that Edward should be put in possession of it again, he should be obliged to pay the king of France a certain sum towards the charges of the war: but he should pay nothing in case he lost his cause. The day after signing this treaty, the commissioners of France, for reasons they did not care to declare, put off for fifteen days longer the interview of the two kings, which had been fixed to the Assumption of the Virgin Mary. Notwithstanding the disadvantageous light in which this treaty appeared to Edward, the state England was then in made him sensible, that at all events it would be best to avoid a war with France, and therefore, in August, he made preparations to go to France, in order to do homage for the county of Guienne. He was acquainted, that if he would give up to prince Edward his son, who at that time was thirteen years old, the duchy of Guienne and the earldom of Ponthieu, the king of France would receive the homage of the young prince, and restore to him the places he had engaged to deliver up by the treaty.

As Edward did not perceive the pernicious tendency of this proposal, he accepted, without a moment's hesitation, the offer which excused him from a journey he was very unwilling to make†. This was throwing himself into a snare laid for him, the queen's sole aim, in the whole contrivance, being to get the prince her son with her, and to make use of him to accomplish the downfall of the king her husband. As soon as prince Edward was in her power, the queen no longer strove to hide her aversion against Despencer the younger, nor her passion for Mortimer. From these circumstances we may conclude, that Isabella's scheme was laid long before she left the court of England, and that the king of France, her brother, was no way ignorant of the matter. This is the ground-work of all the calamities which befell Edward, and of the revolution which happened in this country, by which the crown of Edward was taken from him, and placed on the head of his son.

The particulars of this revolution we are now to enter upon.

The two kings having agreed upon the expedient proposed, prince Edward set out for Paris on the 12th of September, 1325, after having received from his father the absolute grant of the duchy of Guienne and the earldom of Ponthieu. In a few days after his arrival, he did homage to the king his uncle; who actually gave him up Guienne; but he kept Agenois, which Edward the father very much complained of. He affirmed, that by the late convention Charles was obliged to restore all Guienne to his son. Charles on the contrary maintained, that the restitution he was bound to had relation to the late treaty, whereby he had reserved Agenois for himself. This dispute displeased not the queen, who wanted a pretence to stay to Paris, from whence she had no design to depart so soon. After the arrival of the prince her son, all the English who had fled for refuge in France, or had been banished into their own country, came in to her. Roger Mortimer was of this number, and became her chief counsellor. After this, Edward's ambassadors were hardly admitted to the queen's presence, and were no longer advised with, concerning the affair of the restitution of Agenois. On the contrary, she held frequent councils, where none were present but the avowed enemies of the king her husband and of the Despensers. Very often she had secret conferences with Mortimer, which occasioned many suspicions. In short, she used so little discretion in her familiarities with him, that Edward's servants who were at Paris, were highly offended at it. On the other hand, her return to England was put off from day to day, on various pretences, notwithstanding the repeated orders of the king her husband to bring home his son. The secret conferences the queen had with Mortimer, whom she ought to have banished her presence as an enemy to the king, opened the eyes of the bishop of Exeter, one of Edward's ambassadors. The good bishop, plainly perceiving that his master was betrayed, privately withdrew from the court of France, in order to inform him of what was doing at Paris. He acquainted him not only with the scandalous behaviour of the queen with regard to Mortimer, but assured him that they were contriving together some plot against him. He founded his suspicions upon the frequent councils they held with the exiles, without suffering the ambassadors to be present. This information having entirely let him into the mystery, he began, from that moment, to perceive the wrong step he had made in sending his son to Paris. How now redoubled his instances for their return, and positively commanded the queen to bring his son with her to England, without suffering the reasons she had hitherto alledged, to prevent her return. His orders were so urgent, that Isabella was obliged to seek some other excuses. She persuaded the king her brother to send him word, that she could not think of returning to England, without being secured beforehand against the ill-treatment she was apprehensive of from Despencer the son. Edward answered this letter, justifying the behaviour of Despencer to the queen, and taking to witness, the very letters full of expressions of friendship and amity, which she had sent to his favourite since she had been in France. Moreover, he assured the king his brother-in-law, that he would never suffer Despencer, or any other person, to be wanting in the respect due to his queen. He further represented to him, that if he

\* These particulars are to be seen in a letter Edward sent the pope on this occasion, inserted in the Collection of Public Acts, p. 140.

† According to Rapin, book ix. "The 21st of August Edward had still thoughts of going himself to France. The 24th of the same month he wrote to Charles, to desire to be excused, by reason of a pretended fit of sickness, from meeting him at Beauvais on the day appointed. The 2d of September he made over to the prince his son the earldom of Ponthieu. The 4th of the same month, Charles signed letters patent, whereby he consented the son should be substituted in his

father's room, provided king Edward would resign to his son all the lands he held in France. But this *proviso* had been already performed in England two days before, with respect to the earldom of Ponthieu. Hence it is plain, that this negotiation was begun and ended between the 24th of August and the 4th of September, a space of time which doubtless will seem much too short, if it is supposed, that the court of France was not determined beforehand, to grant what she well knew was going to be demanded." See also the Collection of Public Acts, vol. iv. p. 163, & seqq.



had not entirely relied on the sincerity of his intentions, he should never have sent his son into France, and desired him to be mindful of his word, and send him back with all speed. He wrote in much the same manner to the queen and prince: but his letters answered no other purpose, than that of making Isabella more determined to pursue her design; and whilst she was taking measures at Paris to compass her ends, her friends in England assisted her. The heads of her party were Henry of Lancaster, brother of him that had been beheaded at Pontefract, and the bishops of Lincoln and Hereford. They found it no hard matter to form a strong party against the king, considering the temper the late cruel executions had put the English lords in.

In 1326, Charles the Fair having promised the queen his sister some succours, as the French historians are forced to own; he was unwilling it should appear he had any hand in her plots; so that it became necessary that Isabella should look for a protector who would openly espouse her interests. To that end, she pitched upon the earl of Hainault, from whom she believed she should be able to procure some troops, in order to strengthen her party upon her arrival in England. But as she could not expect to gain that prince on her side, without making it turn to his advantage, she concluded with him, a marriage between Edward her son and Philippa his daughter, as if it had been in her power to dispose of the young prince. Several pieces in the Collection of Public Acts plainly make appear, that this marriage was in hand whilst the queen was at Paris. We find there amongst others, a letter of king Edward to his son, expressly forbidding him to enter into any marriage engagement without previously acquainting him with the circumstances of the contract. In the mean time the king of France permitted Isabella to continue at Paris, and read without any emotion, and without sending any answer, the letters Edward wrote him, upbraiding him with breach of faith. The information Edward had received from the bishop of Exeter, the frivolous excuses made use of by the queen to defer her return, and the connivance of king Charles on that account, greatly vexed him. He plainly saw, some plot was contriving against him at Paris, though he could not tell what it was; but he was very sensible, he had reason to dread the consequences, as long as the prince his son was in the hands of his enemies. Most of the historians affirm, that the contempt which the mother and son shewed for his orders, carried him at length to banish them the realm; but a letter which he sent the pope on that subject, manifestly shows that it was only a false rumour spread in France with a view to justify the queen's stay. In the letter Edward told the pope, "That such a thought never came into his head: that the tender age of his son freed him from all imputation of disobedience, which the queen alone was chargeable with, and that he had too great an affection for both, to treat them so inhumanly." After having in vain tried all the ways he could devise to oblige them to return to England, he turned his whole fury against the ambassadors who had assisted the queen in the negotiation of the fatal treaty, and was resolved to make them responsible for the issue; and in a short time afterwards he declared war against France. Hereupon Charles openly espoused his sister's cause.

Isabella having left the court of France passed some days at Abbeville, whence she advanced to Valenciennes. Upon her arrival, she ratified the treaty concluded between her and the earl of Hainault, and contracted her son Edward to the princess Philippa. A

few days after they set out for Dordrecht\*, where she embarked the troops which the earl of Hainault furnished her with; they were in number about three thousand, and were all in readiness at that place, together with vessels to transport them. John de Hainault, brother of the earl, commanded them, and the Queen, as a singular favour, gave him leave to stile himself her knight. The queen, however did not rely so much upon the forces she brought with her as upon the discontents of the English, and the numerous party her friends had formed in England. She landed on the 22d of September, at Orwell, in Suffolk, where she was joined by Henry of Lancaster, and several other lords†. At the same time, the enemies of the Despensers were very busy in levying troops to come to her assistance, and her army soon became so numerous, that she struck terror into those whose inclination would have led them to serve the king. That unfortunate prince, who had received timely notice that a plot was contrived against him at Paris, had mispent his time as usual by taking such remedies as were of little service towards curing the evils which hung over his head. Instead of raising an army, and fitting out a fleet, which might have quashed the designs of his enemies, he contented himself with writing to the pope and king of France. Upon the arrival of the foreign troops he was deserted by all the world, and consequently unable to make head against his enemies. In vain did he publish a proclamation, commanding his subjects to endeavour to extirpate the foreigners, and set the price of one thousand pounds upon the head of Mortimer; no one attempted to obey him. In this extremity he resolved to retire into the west with the two Despensers, the earl of Arundel, chancellor Baldock, Simon de Reading, and a few other adherents of the favourites.

The queen's army was daily increased by the troops which were brought her from all parts, and she published a manifesto in her own, as well as in the names of Edward her son and the earl of Kent, wherein they set forth their reasons for taking arms‡. This manifesto was published at Wallingford, October the 15th, whilst the queen was marching in pursuit of the king.

Edward was not able to withstand his enemies. All his endeavours to raise troops proved fruitless: nobody was willing to expose himself to the queen's resentment, or hazard his life and fortune for the sake of an unhappy prince, who was looked upon as irrecoverably lost. In this extremity, he designed to retire into Ireland, after having left Despencer the father in Bristol. He fancied the siege of that place would employ the queen so long that he should have time to take some measures. Pursuant to this resolution, he went on board a small vessel and set sail for Ireland. But by contrary winds he was driven back on the coasts of Wales, where he was forced to land and lie concealed in the abbey of Neath, till the wind should favour his passage, or till he could form some other design. Whilst the wretched king was seeking a place of safety in his own kingdom, the queen over-ran the counties with a wonderful rapidity. Every one being eager to furnish her army with necessaries. At length she advanced to Bristol, where Despencer made but a faint resistance. The city having surrendered after a few days siege, the old gentleman, aged fourscore and ten years, was immediately hung up in his armour, without any formality.

In the mean time, the city of London following the example of the rest of the kingdom, declared for the queen. In vain did Stapleton bishop of Exeter, whom the king had left guardian of the city, endeavour to

\* Or Dort, in Holland, one of the United Provinces. It is seated on a small island, about ten miles S. E. of Rotterdam.

† Particularly Edward earl of Kent, the king's brother; Aymerick de Valence, earl of Pembroke; the earl of Leicester, with the bishops of Hereford, Lincoln, Ely, and Dublin.

‡ They pretended that their sole aim was to free the church and state from the oppressions they were liable to by the mal-

administration of the king and tyranny of the Despensers. They added, that these unworthy favourites and their adherents ought to be looked upon as enemies to the state, since by their pernicious counsel, and abuse of the royal authority they deprived some of their lives, others of their estates and liberty, without any regard to the laws of the land, or the privileges of the people. See *Acta Publica*, iv. p. 236.



keep possession of it for his master. His efforts served only to stir up against him the fury of the populace, who, after having treated him with great indignity, at length beheaded him\*. The citizens likewise enraged against the king, became masters of the Tower, and set at liberty all the prisoners which the Despensers had confined there. Here the queen staid some days, during which time she was informed of the king's being embarked for Ireland. As he had not committed the government to any person, the lords who attended the queen, made use of that pretence, to name for guardian or regent of the kingdom, prince Edward, who took upon him the administration. This done, the queen advanced to Gloucester, where the gates were readily opened to her. Here she published a proclamation inviting the king to come and resume the government; but herein she acted with great duplicity.

Whilst the queen was at Gloucester, a report being spread that the king was concealed in Wales, Henry of Lancaster was detached thither in quest of him. His diligence, and a reward of two thousand pounds, which the queen had promised to any person that should take Despencer, soon gained him intelligence of the unhappy king's retreat. He had with him only Despencer, chancellor Baldock, Simon de Reading, and a few domestics, as abovementioned, every one else having deserted him in his misfortunes. The abbey of Neath not being a proper place to keep prisoners in, Henry of Lancaster carried them to Monmouth-castle till farther orders. As soon as the queen received intelligence that the king her husband and her principal enemies were in her power, she summoned a council to determine on the steps necessary to be taken at this juncture; when it was resolved that the bishop of Hereford should be sent to demand the great seal of the king, as well to hinder him from using it against the queen, as to be able to call a parliament, without which nothing could be done but what would want the stamp of lawful authority. He delivered it without any seeming reluctance, though it deprived him of the exercise of the royal authority, giving at the same time the queen, and the prince his son power to use it as they should judge proper, even in matters of mere grace and favour. This was the last act of authority the king did, being shortly after conducted to Kenilworth-Castle. The great seal being now in the possession of the queen, she made use of it to her own advantage, as well to order the payment of her debts, as to call a parliament in the captive king's name. Before the meeting of the parliament, she ordered the earl of Arundel† to be beheaded at Hereford, where she intended to sacrifice the others to her vengeance. She set out for that city, ordering the prisoners to be drawn in a most ignominious manner, that they might be expoised all the way to the insults and curse of the people. Upon her arrival, she caused Despencer and Simon de Reading to be brought to their trials, the first of whom was hanged on a gibbet fifty feet high, and the other ten feet lower. Chancellor Baldock being in holy orders, they durst not proceed against him in the same manner, but delivered him to the bishop of Hereford, who carried him to London. Upon their entrance into the city, the populace fell upon him, and after they had terribly abused him, threw him into Newgate, where he died of the wounds he had received.

The favourites and ministers having thus received the reward of their pride and cruelty, the queen came to London, which she entered in triumph, amidst the acclamations of the people, who called her their deliverer, and expressed their thankfulness for the pretended service she had done the state. The parliament being met in January, 1327, the first thing that was debated was the deposition of the king, so that the unfortunate king had

not so much as a single advocate to plead for him. It was unanimously resolved that the king should be deposed, and Edward his son made king in his room. The heads of the charge exhibited against him, were digested into several articles, amongst which were some very much aggravated, and others only bare repetitions, in order to swell the number. In general he was accused of not having governed according to the laws of the land: of having made use of evil counsellors, and of having rejected the advice of his faithful subjects. This act having passed *nemine contradicente*, young Edward was proclaimed king in Westminster-Hall, under the name of Edward III. Then the archbishop of Canterbury preached a sermon on these words, "The voice of the people, the voice of God," wherein he endeavoured to vindicate what the parliament had done, and exhorted the people to pray to the King of kings for the welfare of their new sovereign.

Upon the news of this rigorous sentence the queen seemed extremely disturbed, even to the shedding of tears. But her outward grief only demonstrated to those about her, how capable she was of managing the art of dissimulation with dexterity. The prince her son, whose youth made him less suspicious, was perhaps the only person affected with her counterfeit tears. Carried away by his generous temper, he solemnly declared he would not accept the crown during the king his father's life, without his express consent. This declaration confounded in some sort the measures of the parliament. They were afraid Edward the father would persist in keeping the title of king, though stripped of all his authority. In this perplexity, it was deemed necessary to oblige him to resign the crown to the prince his son. Pursuant to this resolution the bishops of Lincoln and Hereford were sent to prepare him for it. Then the parliament nominated twelve commissioners, namely, three bishops, three earls, two barons, two abbots, and two judges, to whom was added judge Trussel as special proxy for the people, to declare to him that the people of England were no longer bound by their oath of allegiance to him, and to receive his resignation. Instead of giving him some consolation, the bishops of Lincoln and Hereford insulted over his misfortunes, and endeavoured to make him believe that he was deposed for his own good, and with a view to ease him of the great weight of the government, that he might live more happily than he had hitherto done. They told him, that his non-compliance would be a great prejudice to his family, since, in case he refused to resign the crown to his son, the nation was determined to elect a king who was no relation to the royal family. Hereupon they left him alone, that he might consider what answer he should return to the commissioners who were coming to receive his resignation in form.

Upon the arrival of the deputies, the unfortunate king met them in a mourning habit, and with looks which demonstrated his perturbation of mind. As he was already acquainted with the occasion of their coming, the sight of that formidable power which had just despoiled him of royalty, made such an impression upon him, that he fell into a swoon, from whence he was with great difficulty recovered. After his recovery, the deputies informed him upon what account they were sent, and represented to him the ill consequences which might attend his refusal. Then the unhappy prince, in a mournful condition, which could not be seen without exciting compassion even his enemies, made answer: "I readily submit to all that is required of me with so much the greater resignation, as I acknowledge my sins were the sole cause of my misfortunes. But I cannot behold without extreme grief, the aversion my people have entertained against me: and if my sorrows can admit of any comfort, it is from the considera-

\* He was a great benefactor to Oxford, founded and endowed Exeter College, and built Hart-Hall.

† Edmund Fitz-Alan, descended from a daughter of the No. XXII.

family of the Albini, earls of Arundel. He was greatly despised by Mortimer.



tion of the regard my subjects shew for my son, for which I am much obliged to them." Having ended his speech, they proceeded to the ceremonies of the resignation, which consisted only in the formality of the king's delivering into their hands, the crown, sceptre, and other ensigns of royalty. Which done, Trussel, addressing himself to the king, spoke in this manner, making use of a form of his own in a case wherein there was no precedent to go by. "I William Trussel, of the parliament and of the whole English nation procurator, do declare in their name and by their authority, that I revoke and retract the homage which I did you, and from this time forward do deprive you of royal power, and protest never more to obey you as my king." After these words the high steward, Sir Thomas Blount, broke his staff, and declared that all the king's officers were discharged from his service. Thus ended the reign of Edward II. in the forty-third year of his age, after having lasted nineteen years, six months, and fifteen days.

This prince, says Rapin, had a very narrow genius, which permitted him not to discern what was for his advantage, from what was hurtful to him. He followed his humour, without troubling himself about the consequences, and without being able to remedy the misfortunes he drew on his head by so doing. Though he had many failings, one may venture to affirm, he was more weak than wicked. To sum up his character in a few words, he was exceedingly like his grandfather Henry III. Edward his father, a much wiser prince than he, and taught by the misfortunes of the two kings his immediate predecessors, always avoided as a most dangerous rock, all occasions of quarrelling with the nobility, chusing rather to give way a little, than hazard his quiet by gratifying his resentment. This son had not capacity enough to follow so good an example, or to be the better for his instructions. He gave up himself entirely to his favourites, and chose rather to forfeit the affections of his people, than deny himself the satisfaction of heaping benefits on those he loved. His weakness and incapacity drew on him the contempt of his subjects; a contempt which was soon changed into hatred, when they saw he sacrificed all to his passions. He had the ill luck to have a beautiful and amorous wife, who giving way to an infamous passion, completed his ruin; it may be, for fear he should be beforehand with her. Most certainly he was treated too severely by his subjects, whose insolence was increased in proportion to their sovereign's weakness. One cannot observe without amazement, that there was not a single person who was willing to draw his sword in his defence. I shall not take upon me, continues the same excellent historian, to determine how far, in those days, the rights of the people with regard to the king, might extend: I shall only say, they could not found their proceedings upon any precedent, seeing this is the first instance in the English history, of a king's being deposed by his subjects, at least since the conquest. Edward II. is taxed with having been given to drink; some speak of his fondness for Gaveston, so as to make believe it was very criminal. Others on the contrary, commend him for his continency. And indeed, we do not find he had any mistresses or bastards, like some of his predecessors. He founded Oriel College and St. Mary-Hall in Oxford\*, and built a monastery for friars on his estate at Langley.

By Isabella of France he had two sons, and two daughters. The eldest of his son was Edward III his successor. The youngest called John, and surnamed of Eltham, the place of his birth, died in the flower of his age, at Perth, without issue. Joanna the eldest daughter, was married to David Bruce, king of Scotland.

Eleanor the second, was wife to Reginald, duke of Guelders.

We cannot conclude our account of this reign, without taking notice of the diabolical and bloody transactions of the French king, and in which Edward, at the instigation of the pope, bore some part: we allude to the suppression of the order of the Knights Templars; an abstract account of which we here lay before our reader:

The order of Knights Templars had arisen during the first fervour of the Crusades; and uniting the two qualities, the most popular in that age, devotion and valour, and exercising both in the most popular of all enterprizes, the defence of the Holy Land, they had made rapid advances in credit and authority, and had acquired, from the piety of the faithful, ample possessions in every country of Europe, especially in France. Their great riches, joined to the course of time, had, by degrees, relaxed the severity of these virtues; and the Templars had, in a great measure, lost that popularity which first roused them to honour and distinction. Acquainted, from experience, with the fatigues and dangers of those fruitless expeditions to the east, they rather chose to enjoy, in ease, their opulent revenues in Europe: and being all men of birth, educated, according to the custom of that age, without any tincture of letters, they scorned the ignoble occupations of a monastic life, and passed their time wholly in the fashionable amusements of hunting, gallantry, and the pleasures of the table. Their rival order, that of St. John of Jerusalem, whose poverty had as yet preserved them from like corruptions, still distinguished themselves by their enterprizes against the infidels. and succeeded to all the popularity, which was lost by the luxury of the Templars. But though these reasons had weakened the foundations of this order, once so celebrated and revered, the immediate cause of their destruction proceeded from the cruel and vindictive spirit of Philip the Fair, who, having entertained a private disgust against some eminent Templars, determined to gratify at once his avidity and revenge, by involving the whole order in an undistinguished ruin. On no better information than that of two knights, condemned by their superior to perpetual imprisonment for their vices and profligacy, he ordered, on one day, all the templars in France to be committed to prison, and imputed to them such enormous and absurd crimes, as are sufficient of themselves to destroy all the credit of the accusation. Besides, they being universally charged with murder, robbery, and vices at the very idea of which human nature recoils and shudders; every one, it was pretended, whom they received into their order, was obliged to renounce his Saviour, to spit upon the cross, and to join to this impiety, the superstition of worshipping a gilded head, which was secretly kept in one of their houses at Marcellis. They also initiated, it was said, every candidate by such inhuman rites, as could serve to no other purpose, than to degrade the order in his eyes, and destroy for ever the authority of all his superiors over him. Above a hundred of these unhappy gentlemen were put to the question, in order to extort from them a confession of their guilt: the more obstinate perished in the hands of their tormentors: several, to procure immediate ease in the violence of their agonies, acknowledged whatever was required of them: forged confessions were imputed to others: and Philip, as if their guilt were now certain, proceeded to a confiscation of all their treasures. But no sooner were the Templars relieved from their tortures, than, preferring the most cruel execution to a life with infamy, they disavowed their confessions, exclaimed against the forgeries, justified the innocence of their or-

\* The honour of founding Oriel College is attributed to Edward II. though he did little more than grant a licence to Adam de Brom, his almoner, in 1324, to build and endow a college to be called St. Mary's-House. To this society king Edward III. in the first of his reign, gave a tenement called Le Oriele, on which ground stands Oriel College. The pre-

sent St. Mary-Hall was a long time the parsonage house to the rector of St. Mary's; which church being appropriated by Edward II. to the college founded by de Brom, the house came also in their possession, and was soon after allotted for the residence of students. Camd. Add. to Oxfordshire.







der, and appealed to all the gallant actions performed by them in ancient or latter times, as a full apology for their conduct. The tyrant, enraged at this disappointment, and thinking himself now engaged in honour to proceed to extremities, ordered fifty-four of them, whom he branded as relapsed heretics, to perish by the punishment of fire in his capital: great numbers expired after a like manner in other parts of the kingdom: and when he found that the perseverance of these unhappy victims, in justifying to the last their innocence, had made deep impressions on the spectators, he endeavoured to overcome the constancy of the Templars by new inhumanities. The grand-master of the order, John de Molay, and another great officer, brother to the sovereign of Dauphiny, were conducted to a scaffold, erected before the church of Notre Dame, at Paris, a full pardon was offered them on the one hand; the fire, destined for their execution, was shewn to them on the other: these gallant nobles still persisted in the protestations of their own innocence, and that of their order; and were instantly hurried into the flames by the executioner. In all this barbarous injustice, Clement V. who was the creature of Philip, and then resided in France, fully concurred; and without examining a witness, or making any enquiry into the truth of facts, he summarily, by the plenitude of his apostolic power, abolished the whole order. The Templars all over Europe were thrown into prison; their conduct underwent a strict scrutiny; the power of their enemies still pursued and oppressed them; but no where, except in France, were the smallest traces of their guilt pretended to be found. England, says Hume, sent an ample testimony of their piety and morals\*; but as the order was now annihilated, the knights were distributed into several convents, and their possessions were, by command of the pope, transferred to the order of St. John, now the Knights of Malta.

## C H A P. VII.

## EDWARD III. SURNAMED OF WINDSOR.

ON the deposition of Edward II. and the accession of his son Edward, the English expected to reap abundance of happiness and tranquillity. If they were freed from the troubles which had disturbed the late reign, it was only to fall into a no less incommodious state. The government of a weak and imprudent king, was not more dangerous than that of a minor under the direction of a mother of strong passions, and of a young unexperienced minister, more presumptuous and less able to manage than the Despensers: so that the people soon found that they had not gained much by the change. Edward's minority, however, was of no long continuance; and as soon as he had taken the reins of government into his own hands, he converted the misfortunes of the late reign into blessings, and the injuries received from France and Scotland into glory and triumphs. A remarkable instance, which plainly makes appear, that the prosperous condition of a state depends less on its own strength, than on the prudence of him that sits at the helm.

As soon as the commissioners sent to Kenilworth were returned with Edward II's resignation, on the 20th of January, 1327, the prince his son was proclaimed anew, under the name of Edward III. and crowned a few days after by the archbishop of Canterbury†. The queen

and Mortimer, whose interest it was to make the whole nation accomplices of their violent proceedings, affected upon that occasion, to cause a coronation-médal to be struck, importing the universal consent of the people to the present revolution. On one side was the young king crowned, laying his sceptre on a heap of hearts, with this motto. "*POPULO DAT JURA VOLENTI.*" On the reverse, a hand held forth, as it were saving a crown falling from on high, with these words, "*NON RAPIT SED RECIPIT†.*" Edward was only in his fifteenth year, yet he had a mature judgement, and a penetration very uncommon to youth of that age; but in compliance to the laws of the land, the king must have governors, and the state regents. The parliament, therefore, chose twelve from among the bishops, earls, and barons, of whom Henry of Lancaster was declared the president. The queen opposed not this nomination, but seized the government, and suffered none but her own creatures to have any share in it. Roger Mortimer, who had as great an influence over her as Despencer the son had over the late king, executed the office of prime minister, and managed the affairs of the kingdom according to his own will and pleasure. As the parliament was now devoted to the queen's interest, she procured the grant of a dowry, for the payment of which two thirds of the revenues of the crown would hardly suffice. At the same time a hundred marks a month were assigned for the maintenance of the deposed king; a sum more than enough for the expences that unfortunate prince was at, who was treated in his confinement after a very unbecoming and scandalous manner.

The opposite party being now at the head of the affairs of the realm, those who had been sufferers whilst the Despensers were in power, were encouraged to petition to be restored to their estates and honours. Their petitions met with a favourable reception; and the parliament reversed all the sentences passed in the foregoing reign, as well against the late earl of Lancaster and his adherents, as against those that had abetted the designs of the queen. In order to give the queen's parliament a tolerable degree of lustre, they caused the young king earnestly to solicit the court of Rome for the canonization of the earl of Lancaster, who had been beheaded at Pontefract. They made him assert in his letter to the pope, that the miracles which were wrought at his tomb, were a clear evidence that what had been inflicted on him as a punishment, was indeed a real martyrdom. In short, all the proceedings of the queen and parliament tended solely to justify what had been done with regard to the late king.

The peace England hoped to enjoy under the new king, was disturbed by an incursion the Scots made on the borders. Robert their king, though in an ill state of health, and of a great age, believed he ought not to let the nonage of the king of England pass without taking some advantage of it; and therefore put the earl of Murray and Sir James Douglas at the head of twenty thousand men, and ordered them to ravage the borders of England. On this occasion Edward took the opinion of the council, which being conformable to his own wishes, an army of sixty thousand men was drawn together, including the troops which John de Hainault had brought into England. The whole army advanced as far as York, where Edward was going to head them, when a sudden quarrel arose between the English and the Hainaulters, wherein a great deal of blood was spilt. As the English were the aggressors, justice could not be

\* According to Rapin, Edward suffered himself to be prevailed upon, from the prospect of getting their estates, which were very considerable; and to effect his purpose he held a national synod at London, wherein they were condemned. They were, however, continues he, not treated so rigorously as in France; they were only dispersed about in the monasteries to do penance, with small annuities allowed out of the revenues of their order.

† On Candlemas-Day he received the order of knighthood by the hands of the earl of Lancaster, and on the same day

was crowned at Westminster, by Walter, archbishop of Canterbury. Speed, p. 566.

† This is Joshua Barnes's account in his life of Edward III. who tells us, he saw one of these medals at a friend's chambers in Gray's-Inn. But bishop Nicholson thinks they were very widely mistaken that first ascribed these medals to that prince. For (as he says) there is nothing in the legend that looks that way, and the inscribed fancies are too bright for those times, and favour of a much more polite age. Hist. Lib. Part III, p. 250. Fol.



done the foreigners, without displeasing the army. So that the court was forced to make a longer stay at York than was at first designed, in order to compose this difference before they took the field. This delay gave the Scots time to pass the Tyne between Carlisle and Newcastle, and to ravage the country on this side the river. They had four thousand men at arms. The rest of the troops were mounted on little swift horses, that they might the more easily make incursions and retreat. The news of this hastened the king's departure; and though he did not know where the enemies were, he marched in quest of them, guided only by the fire and smoke of the houses still burning on the road. This speed, however, was not sufficient to overtake them. As the king was not able to get up with them, he called a council of war; when some confused advices made it believed, that the Scots had not yet repassed the Tyne; so that it was resolved, that the army should march beyond the river, and wait their return. This resolve was put in execution; but the English army had no sooner passed the Tyne, than they were forced to go back again, not finding north of the river a sufficiency of forage to subsist for the army. During the time which was spent in marches and counter-marches, Edward, having never had certain intelligence concerning the enemy, was extremely uneasy. As he was at a loss which way to take, he ordered it to be proclaimed in the army, that whoever should bring him certain news of the Scots, he should be made a knight, and have a pension of a hundred pounds sterling. The hopes of so good a reward set so many people at work, that it was not long before he had information of the place where they were encamped. It was, however, not without some disorder that he heard the enemies, which he was so eagerly in quest of, were not above two leagues off. He marched immediately towards them, in hopes of giving them battle the same day; but he did not long enjoy the satisfaction that prospect gave him. The Scotch generals, who were not ignorant of his approach, had encamped over against Stanhope-Park, on a hill at the foot of which flowed the river Were, shallow indeed, but full of rocks, which rendered its passage very difficult. How desirous soever Edward might be to fight them, he was sensible, to his great sorrow, that he could not attack them without hazarding the loss of his whole army. As Edward judged of their courage by his own, he sent them word, that "if they would come over the river to him, he would retire at a convenient distance and give them time to pass, and opportunity to take what ground they should think proper, or else on the same terms he would come over to them." The Scotch generals returned in answer: "That the English army being three times stronger than theirs, it would be great rashness to accept the proposal; that they were bent upon keeping their post, and that it was the king's business to dislodge them, if he thought it would be for his advantage to attempt it." However, as they were apprehensive that Edward, in amusing them with his offers, might have a design to pass the river at some other place, they retired in the night, and encamped in a still more advantageous post than what they had left. Besides that they had still the Were in their front, their flanks were defended by inaccessible mountains and bogs, which removed their fear of being attacked, supposing the English should have passed the river higher up. Edward having notice of their motion followed them, the Were between, and having found them posted in that manner, he made them the same offer he had done before, to which they returned a similar answer.

Whilst the two armies lay in sight of one another without being able to engage, Sir James Douglas, one of the Scotch generals, passed the river at some distance from the two camps, with only two hundred horse; and with this little troop, he stole into the English camp, penetrating to the royal tent, where he gave a terrible alarm. In all probability, his de-

sign was to carry off the king: but not being able to compass his ends, he retired without much loss. At length, after both armies had kept their posts fifteen days, the Scots decamped in the night, and by speedy marches, which prevented the English from pursuing them, retired into their own country. Edward having no longer any thing to fear from them, returned to York greatly chagrined. Upon his arrival in that city, he disbanded his army, and after having made him magnificent presents, sent John de Hainault back to his own country.

Whilst the young king, says Rapin, was taken up in this expedition, his father was still closely confined in Kenelworth-Castle, spent his days in affliction, not being suffered to take the least diversion. He wrote from time to time to his queen, to intreat her to render his imprisonment more easy; but nothing was capable of moving that inexorable princess, in favour of a husband, whom she herself had reduced to that wretched condition without his deserving, at least from her hands, such barbarous usage. If she durst have acted according to her inclinations, she would have left his letters unanswered. But as it was her interest to deceive the publick by this correspondence, she was very glad to cherish it. She sent him now and then some linen, and cloaths, and other little presents, to make the credulous people believe she sacrificed her tenderness for him to the good of the state. It was not so easy a matter to deceive Edward himself, seeing he could not but be convinced that she was the sole cause of his misfortunes. Accordingly she never appeared in his sight. She would not so much as permit the king her son to pay his duty to his unhappy father, for fear he should come to the knowledge of some things, which she desired he might be ignorant of as long as he lived. So that although the imprisoned king ardently wished to see them both, and frequently asked the reason why they were so unkind as to deny him that comfort, he could never obtain the favour. In the mean time the rigorous usage that unfortunate prince met with, began to excite compassion in the breasts of the English, who are naturally of a generous temper. Henry of Lancaster himself, who had the custody of him, relented daily to such a degree that he gave him some small hopes of recovering his liberty. Another motive, besides that of generosity, influenced the earl: that was, the irregular conduct of the queen, and the great credit of Mortimer, whose arrogance rendered him odious to all the world. As he took no care to hide his sentiments, the queen and Mortimer suspected him of having formed a design to restore the old king. This suspicion, whether well or ill-grounded, produced a fatal effect, by determining them to prevent the danger which they imagined hung over their heads. With this view they resolved to take the captive king out of the custody of one whom they were become jealous of, and entrust him with such as they could depend upon. Sir John Maltravers and Sir Thomas Gurney, both of so brutish a temper as qualified them for the designs of those that employed them, had orders to remove Edward from Kenelworth, to Berkley-Castle. It was hardly possible for the unfortunate prince to fall into worse hands. At first they carried him to Corfe, then to Bristol, and afterwards to Berkley-Castle which was to be his last prison. In the journey, they made him suffer a thousand indignities, even to the causing him to be shaved in the open field with cold water taken from a stinking ditch. What firmness soever he had shown hitherto, he could not on this occasion help lamenting his misfortunes, and discovering how much he was affected with it. Amidst the complaints and reproaches which he uttered against those who used him thus barbarously, he told them, that in spite of them, he would be shaved with hot water. And at the same time he shed a torrent of tears. His enemies were in hopes, the vexation and fatigue he was made to endure, would put an end to his days. But though they were served with



with a barbarous zeal by these merciless guards, who put in practice to that end the most cruel as well as the most insolent means, yet the goodness of his constitution frustrated their designs. These wretches finding that their cruelties had not so speedy an effect, sent for fresh instructions, which they were quickly sent. They received precise orders to put that prince to death, who, overwhelmed as he was with misery, caused continual fears in the authors of his calamity. It is said Adam Orleton, bishop of Hereford, one of the queen's ministers, sent with these orders a Latin letter, wherein by a shameful equivocation, he advised them at the same time to murder Edward, and exhorted them to refrain from such a crime. And indeed, the words which are attributed to him, are capable of both these senses, according to the different pointings\*. These orders were no sooner arrived, but the two keepers, well knowing their business, entered Edward's room to put them in execution. He being then in his bed they put a pillow upon his face, to prevent his being heard; after which, with a cruelty not to be paralleled, they thrust a horn-pipe up his body, through which they ran a red-hot iron, and burnt his bowels. In this horrible manner did that miserable prince expire, amidst such violent pains, that in spite of the precaution of his murderers, his cries were heard at a distance. To conceal this execrable deed, the two executioners sent for some of the inhabitants of Bristol and Gloucester, who, examining the body, and finding no signs of violence, gave their opinion that he died a natural death. Their account, which was carefully attested by witnesses, was immediately dispersed over the whole kingdom, that every body might have notice of it†. His body was buried without any funeral pomp, in the abbey church at Gloucester; where, by order of the king his son, a stately monument was erected, but no inscription was placed thereon. So far were his murderers from receiving for their parricide the reward they expected, that they were forced to fly beyond sea, to avoid that punishment which was justly due to so atrocious a crime. The very persons that had employed them, affected to cause diligent search to be made after them, that they might palliate the part they had in the crime. Three years after, Gurney was seized at Burgos, and by order of the king of Castile carried to Bayonne, whence Edward commanded him to be brought over to England. But by some secret practices, which no historian has fully cleared up, his head was struck off at sea, on board the vessel. Maltravers spent his days in exile, in some part of Germany whither he had retired. But divine vengeance stopped not at the punishment of these two villains; the queen, Mortimer, and their accomplices, felt likewise its effects.

The year 1328, opened with the marriage of Edward III. with Philippa of Hainault; his marriage having been previously concluded by the queen his mother at Valenciennes, as before-mentioned. The solemnity was performed at York, where the king came in his return from his campaign. Shortly after the new queen was crowned with the usual ceremonies; after which, Edward called a parliament at Northampton, in order to consult them about two very momentous affairs: the first related to the regency of France, which he laid

claim to after the death of Charles the Fair, his uncle, who died in the beginning of this year; and the second was the peace with Scotland, proposed by king Robert. Queen Isabella and Mortimer, who held the reins of the government, being of opinion that a war was against their interests, were desirous of peace, as well as the king of Scotland. The queen-mother and Mortimer in behalf of the English, and Douglas in the name of the king of Scotland, were the managers of this affair. A peace was quickly made and confirmed by the marriage of David, prince of Scotland, with Joanna‡, sister of Edward, though they were both children. The English were not well satisfied with this peace, because Isabella and Mortimer gave up to the king of Scotland such advantages as he could not have expected, even after the gaining of many battles. By their advice, Edward quitted all his pretensions to Scotland, both with regard to the sovereignty and the propriety. At the same time he restored to Robert all the deeds§ and instruments which might prove the sovereignty of the kings of England over that kingdom. This was followed by the restitution of the crown, sceptre, and jewels||, which Edward I. had carried off from Edinburgh, and, in short, every thing which might be an evidence of the sovereignty of England over Scotland. In pursuance of the treaty, the nuptials of Joanna, sister of the king, were solemnized at Berwick. Shortly after, Mortimer, as a reward for the pretended service he had lately done his master was made earl of March in full parliament. John of Eltham, brother of the king, was created earl of Cornwall, and James Butler, earl of Ormond.

Henry of Lancaster, and some other lords, were much dissatisfied at the conduct of the queen-mother and Mortimer, who had usurped all authority, contrary to the intent of the parliament, who had nominated twelve barons to manage the public affairs; so that they did not appear in this parliament. The tragical death of Edward II. and the late treaty with Scotland, furnishing them with a plausible pretence to complain, they begun to hold private conferences, and form plans to redress what was amiss in the government. As it was difficult to keep secret a confederacy wherein they designed to engage a great many persons, the queen and Mortimer had soon notice of it. The earl of Lancaster they considered as author of the plot, and head of the malecontents, and therefore they resolved to sacrifice him to their safety. Shortly after the queen, together with the earl of March, stirred up the king against him. As soon as Lancaster knew of their design, he prepared for his defence, and formed an association, which was entered into by Edmund, earl of Kent, and Thomas, earl of Norfolk, the king's uncles; the lord Beaumont, judge Trussel, and some other lords, who unanimously resolved to stand upon their defence in case they were attacked. At the same time they published a manifesto containing the motives of their taking arms\*\*. Hereupon the young king, at the instigation of the queen-mother and Mortimer, resolved to compel by force of arms to return to their duty, those persons whom he already deemed rebels. He even began to prepare to put his design in execution; and, without doubt, this affair would have been attended with fatal consequences, if Simon de Meopham, the archbishop of Canterbury,

\* *Edwardum occidere nolite timere, bonum est.*

† *Edwardum occidere nolite, timere bonum est.*

‡ See Rapin, book ix.

§ The Scots called her in derision, *Joan Make-Peace.*

|| Among these deeds was the famous act called Ragman's Roll, signed by John Balliol, and all the barons of Scotland, wherein were contained the rights of the crown of England.

¶ Particularly one of great value, called the Black-Cross of Scotland. By this treaty also, no Englishman was permitted to hold lands in Scotland, unless he would live there.

\*\* The reasons alledged by them were, 1. To oblige the queen-mother to refund into the public treasury, the revenue she had caused to be assigned her, far exceeding the usual dowry of the queens. 2. To put a stop to the exactions and encroachments of those who governed in the king's name.

No. XXIII.

3. To bring to condign punishment the betrayers of their country in the late war with Scotland. 4. To make inquiry by what means the ordinance of parliament establishing twelve barons to govern the state, during the king's minority, had not been put in execution. 5. To cause strict inquisition to be made concerning the death of Edward the king's father, after he had, by private orders, been taken out of the custody of those whom the parliament had intrusted him with. 6. To bring those to an account who had seized the treasure of the late king. 7. To cause the public to be informed by whose advice the king, during his minority, had quitted all his pretensions to Scotland, and given up all the records which might prove them. 8. Lastly, To call those to an account who had advised the king to marry the princess his sister to David Bruce, the mortal enemy to the English nation.



had not zealously interposed to effect an accommodation. The archbishop artfully gave the queen to understand, that the manifesto of the malecontents was so plausible, and the grievances complained of such, that it was to be feared the whole nation would side with them. The queen readily apprehending what the archbishop told her but a part, and believing it would be full as dangerous for her as for the malecontents, if she attempted to bring matters to the last push, she was prevailed with to accommodate the affair, the malecontents being also willing. As their party was not yet strong enough to carry things to the point they desired, their intent in publishing the manifesto, was only to convince the queen how great a risque she would run in going about to crush them. So that, without insisting any further on the grievances, they were contented with a pardon which the archbishop procured them, for certain fines, and the banishment of Beaumont, Trussel, and the murderer of the lord Holland, who were excepted in the pardon. On this occasion the earl of March pretended to be a friend to the princes: but he harboured in his breast a lively resentment against them, to which the earl of Kent afterwards fell a sacrifice.

The following year died Robert, the brave king of Scotland, who freed that country from the dominion of the English, and settled his own family on the throne. It is not without reason, that the Scots rank him among their most illustrious kings, as he was the restorer of their monarchy. This prince being on his death-bed, recommended three things especially, to those to whom he had committed the regency, during the minority of David his son, who was but eight years old. The first was, never to hazard a battle in the kingdom; the second, to make no long truces with the English, in case the two nations should come to a rupture; the third, to have always an eye upon what was doing in England, that they might not be surprized unawares.

The earl of March was now raised to such a degree of power, that he acted more like a sovereign than a minister. He disposed of all the offices, as well as of the public revenues, with authority and arrogance. The extraordinary credit of this earl at court, roused the jealousy of the English, who were not altered since the deposing of Edward II. and who had no greater esteem for this new favourite, than they formerly had for Gaveston and Despencer. Among those who discovered their minds the most freely on this head, Edmund, earl of Kent, the king's uncle, was the principal. This prince, as well as Edward II. his brother, had no great genius for public affairs, but he was naturally honest and generous. The disorderly behaviour of Isabella, the arrogance of the favourite, the sudden death of the king, and the ill management in the administration of affairs, at length opened his eyes; and he spoke rather freely respecting the mismanagement of the affairs of the state: he even joined with Henry of Lancaster. This was sufficient to induce Isabella and the earl of March to hasten his ruin, in the dread they were in of being themselves prevented. To that end, they laid for him a strange snare, which one would think could hardly have drawn him aside. As the earl's conduct afforded them no handle against him, there was a necessity, in order to have an opportunity to destroy him, to make him render himself criminal, that his ruin might be thought the less strange. With this view, his two adversaries placed some people about him, who, feigning to be his friends, hinted to him, that Edward II. his brother was still alive, and that they had given out he was dead, only to prevent the troubles his friends might excite. They added, that he was strictly guarded in Corfe-Castle, where no person had

the liberty to see him, but his domestics who were shewn up with him. This pretended secret was backed with divers circumstances, and confirmed by the testimony of several persons of distinction, among who were two bishops that were deceived as well as Edmund, or helped to deceive him. He had himself been present at the funeral of the king his brother; but what he had now heard, joined to a like report which was began to be spread at court by the artifice of his enemies, and to his desire that the thing might be true, easily caused him to believe, that he might have been imposed upon by counterfeit obsequies. In this belief he resolved to try all possible means to free the pretended prisoner from his confinement. He was, however, in suspense with regard to the oath he had taken to the king his nephew; but he was quickly eased of that scruple. It is said, that having been ordered to go to the pope to demand the canonization of the late earl of Leicester, he took this opportunity to consult John XXII. about that affair. It is added, but with what degree of verity we cannot pretend to say, that the pope not only approved his project, but charged him to put it in execution, under pain of excommunication. As soon as Edmund found himself backed by such authority, all his scruples vanished. So that, without any further deliberation, he set out from Avignon, bent upon using all his endeavours to free the king his brother, whom he imagined to be still in prison. His belief, however, being founded only upon report, the certainty whereof had not been fully made appear, caused him to send a certain monk, his confidant, to Corfe and know the truth. The contrivers of the plot had not omitted to cause it to be whispered about in the country near the castle, that Edward was still a prisoner there. So that the monk found the inhabitants of the neighbourhood of opinion he was alive. These false rumours having prepossessed the mind of the monk, he feigned some business with the governor of Corfe, and asked him, whether there was really any foundation for what was reported of Edward. The governor, who had received instructions how to behave, returned him such an answer as confirmed him in his opinion. It is even said, that he shewed him, but at a little distance, a person sitting at table, who was served with a great deal of respect, and by that means entirely convinced him, that he had not been imposed upon. Edmund being confirmed in his belief by the monk's report, came himself to Corfe, and without showing the least doubt, demanded to be conducted to his brother's apartment. The treacherous governor pretending to be surprized at his knowing the secret, did not deny but that Edward was in the castle; but told him that he had positive orders to suffer no person to see him. This confession made Edmund redouble his instances, but finding the governor was inflexible, he gave him a letter for the prisoner, wherein he assured him, that he would do his utmost to gain him his liberty. This letter was instantly carried to the queen, who shewing it to the king her son, magnified the danger he was in from the practices of his uncle. Hereupon she obtained the king's leave to secure the prince's person, who was far from suspecting that his mother had herself contrived this plot. As soon as the king had given his consent to what was proposed to him, measures were taken to apprehend Edmund at Winchester, where the parliament was assembled. His impeachment being brought before the peers, his own letter was produced, which he could not disown. He confessed that several lords, and particularly the archbishop of York and bishop of London, were concerned in the plot, or at least had advised him to hasten the execution of it\*. Upon this confession, which shewed a settled

\* Walsingham gives the following account of Edmund's confession before the parliament: "On the 16th of March, 4th Edward III. he confessed that a certain friar-preacher of London told him, that he had conjured up a spirit, who assured him that Edward his brother was still alive. Also, that Sir Ingram Barenge brought him a message from William

lord Zouche, desiring he would assist in his restoration. Likewise, that Sir Robert Taunton came to him from the archbishop of York, to encourage him, by assuring him that he had in readiness five thousand men to carry on the work. Also, that Sir Fulk Fitz-Warren told him, it would be the greatest honour that ever could happen to him, in case he appeared



settled design to change the government, he was condemned to lose his head. The execution soon followed the sentence; all that day the king was so beset by the queen his mother and the earl of March, that no person could come near him, to sue for the pardon of a prince so nearly related to him. It is even affirmed, that he knew nothing of the sentence passed upon his uncle, or of his execution, till it was too late to help it. Be that as it will, Edmund was brought upon the scaffold to suffer the punishment he had been sentenced to. But the executioner having gone out of the way, he staid from noon till evening, before they could get any one to do his office. At length, towards night, one of the guards of the marshalsea, bribed with money, undertook to do it\*. Thus died that prince in the 28th year of his age; he left two sons who died young, and two daughters, the youngest of whom was the greatest beauty of her time. Her second husband was the famous prince of Wales her cousin, eldest son of Edward III. Such is the account given by Rapin, who also says, and that with truth, that Edmund was the only person prosecuted for the imaginary crime for which he suffered death; though according to the depositions, several others ought to have undergone the same punishment. But the contrivers of the plot wanted no other sacrifice: besides, they took care not to examine matters too strictly, for fear of giving occasion to discover what it was their interest to conceal. It is even very probable, that several of those whom Edmund had impeached, were betrayers, employed by his enemies to hurl him down the precipice.

The treaty made at Paris by the mediation of Isabella had not fully ended all the differences between Edward II. and Charles the Fair; the queen not thinking it would be for her interest to discuss all the articles which were included in these disputes. On the other hand, king Charles, who was in possession of Agenois, did not think proper to urge, himself, any further discussion of matters. Accordingly the sentence passed at Paris, in the business of St. Sardos, which condemned the Gascon lords to banishment, and decreed the demolishing of their castles, was still in force: but the treaty which the queen had concluded, preserved entire Edward's pretensions, and left him free to prosecute his right in the court of peers. The resignation of Guienne had occasioned fresh difficulties; Edward II. pretended that Charles, in receiving the homage of the prince his nephew, had obliged himself to restore that whole province, which the king of France denied. Edward III. was no sooner on the throne, than by advice of his parliament, he sent ambassadors to France, to make up all matters between the two crowns; and shortly after a new treaty† was concluded. By the last article the treaty was to be ratified by Edward before Easter, which was accordingly observed. This affair was hardly over, when a new subject of a dispute engaged the two kingdoms in a war, which caused torrents of blood to be spilt, and brought France in the end to the brink of destruction. This was the death of Charles the Fair, which happened February 1, 1328. This prince dying without issue-male, and having left Joanna his queen big with child, there arose a dispute concerning the regency of the kingdom, till the queen should be brought to-bed. Edward

laid claim to it, as nephew, and the nearest relation to the deceased king; but Philip, son of Charles of Valois, and cousin-german of the said king, maintained, that he had an incontestable right to the regency. He founded his claim upon the Salic-law, which, in his opinion, barred the females and their descendants from the succession to the crown; whence he inferred, that neither had they any right to the regency, to the prejudice of the male line. This controversy was decided in favour of Philip by the peers of France, who adjudged him the regency till the queen was delivered. It was partly on this occasion, says Rapin, that Edward called the parliament at Northampton, on account of the peace with Scotland; he laid before them the reasons he had to claim the regency of the kingdom of France, the injury he pretended was done him in giving the preference to Philip of Valois, and the disadvantageous inference which might be drawn from his exclusion, with respect to the crown of France, in case the child the queen was big with, should not live, or should be a daughter. Historians do not positively say, what the parliament's opinion was in this nice affair; but as the members were at the devotion of the queen-mother and the earl of March, it is very likely they were no more scrupulous with respect to the affairs of France, than they had been with regard to those of Scotland. There were much more plausible reasons to dissuade Edward from making war with France: but Edward could not be persuaded to give up his claim to a right which he thought lawfully belonged to him. Nevertheless, as he was still a minor, he perceived that he should not be able effectually to oppose the advice of the queen his mother, his council, and the parliament; but if he tacitly dropped his pretensions to a regency which was about to expire, he was far from doing the same thing with regard to the crown itself, in case the point in question was not decided by the birth of a prince‡. In April, Joanna was brought to-bed of a princess; whose birth would from that moment have occasioned a bloody war, if Edward had been in a condition to assert his pretensions. He however, demanded the crown of France by his ambassadors; but Philip having caused himself to be crowned by virtue of the judgement which had given him the regency, the English ambassadors were not paid attention to. Edward not being in a condition to push this affair to the utmost, thought proper to let it lie dormant till a more favourable opportunity should offer. Several pieces in the Collection of Public Acts make appear, that this was his intention, and that his silence argued nothing less than the design to waive his right. We see there, that immediately after the coronation of Philip of Valois, he began to take measures in order to war against him.

In April, 1329, Philip de Valois caused Edward to be summoned to appear and do homage in person. In the temper Edward then was, he would have been glad if he could have excused himself from paying homage to a prince whom he considered as an usurper of his right. But the queen and Mortimer represented to him, that he would infallibly lose all he held in France, if he unadvisedly discovered his pretensions to that kingdom, before he was in readiness to support them. Their re-

appeared in the attempt; promising his best assistance. Moreover, that Sir Ingram Barenger came to him again from Sir John Peche, letting him know he should have his help. And that Henry lord Beaumont, and Sir Thomas Rosselyn at Paris, instigated him thereto, saying, they were ready to come into England to his aid. Lastly, that the said Sir Ingram came to him another time at Arundel, into his bed-chamber, and assured him of the bishop of London's help." T. Walling. p. 110.

\* According to Knighton, it was one of the prisoners, who did it to save his own life, on the eve of St. Cuthbert.

† The articles of this treaty were:

"I. That both sides should restore what they had conquered during the war.

II. That Edward should pay the king of France fifty thousand pounds sterling, to defray the charges he had been at on

occasion of the rupture.

III. That a general pardon should be granted by both parties.

IV. That the king of France should pardon the felony of the Gascon lords, as to life and limbs, on condition they submitted to banishment.

V. That Edward should undertake to rebuild their castles.

VI. That this treaty should be of no effect, if it was not ratified by the king of England before Easter."

‡ This appears from several letters which he wrote to some lords of Guienne, dated the 28th of March, about a month before queen Joanna's delivery. On the supposition that she should be brought to-bed of a daughter, he acquainted these lords, that his intent was to use all possible means to recover the right and inheritance of the queen his mother. See the Collection of Public Acts. vol. iv. p. 344, & seqq.

montrances



monstrances would perhaps have had little weight with him, if for his satisfaction they had not bethought themselves of an expedient, unbecoming indeed the sincerity kings ought to profess, but which his youth and passion permitted him not examine too nicely. They suggested to him, that by protesting beforehand against the homage, it would be no detriment to his claim. Pursuant to this advice, he made in the presence of his council the following protestation: "They by the homage he was going to pay, his intention was not to prejudice his just right to the crown of France, supposing he should ratify it by his letters-patent, and that it was purely the fear of losing his dominions in France, which obliged him to it\*." This declaration was signed by the king and council; but it was not communicated to Philip's envoy. They only gave him the general answer. "That the king would perform, as soon as possible, what he owed the crown of France."

Notwithstanding Edward's unwillingness to do the homage, he was determined to it, through fear of discovering by his refusal, a design which it was not proper as yet to make known. To make himself amends in some measure, for the mortifying step which he was forced to take, he ordered a great number of lords to attend him, and with a very splendid equipage, and a retinue of a thousand horse, he advanced to Amiens, where Philip waited for him. On the day appointed for doing his homage, he appeared before the king of France, clothed in a scarlet robe seeded with gold leopards, with his crown on his head, his sword by his side, and his gold spurs on. The king of France received him sitting on his throne, with his crown on his head, scepter in his hand, having on a robe of blue velvet, full of flower-de-luces. By him were the kings of Navarre and Majorca, all the peers and principal lords of France, whom he had expressly desired to be witnesses of this authentic homage. Before Edward's arrival Philip had pretended that this should be a full homage†, as in effect it ought to have been. But in the conferences held on this account, before the ceremony, the affair had been otherwise settled. Edward having protested that he was not perfectly informed of the quality of the homage, had offered to do it in general terms; but having given his word and honour, that if, upon consulting his records, he found that the homage ought to be full, he would give letters-patents of it under his great seal. Upon that condition, Philip consented to receive the homage in general terms. Edward, however, was in no hurry to send the promised declaration respecting the homage, and endeavoured to gain time, by proposing in 1330, a double marriage of his brother and sister with the son and daughter of Philip. He even kept at London almost a year, on divers pretences, ambassadors who had been sent to press him to perform his promise. During that time Edward was very importunate in his turn with the king of France, to make up their differences about Guienne, as had been agreed at their late interview. This delay made Philip send him word, that he requested an immediate answer. He also dispatched into Guienne the earl of Alençon, his brother, who took and demolished the castle of Xaintes, and plundered that of Burg. These hostilities, which Edward did not expect, produced a new treaty between the two monarchs. Edward positively engaged to send the declaration of homage, to pay fifty thousand pounds sterling which were owing to France, and sixty thousand Parisian livres for the assignment made to him by the king his father of Guienne. Moreover he promised, that the castles should be demolished belonging to the Gascon lords condemned in the reign of

Charles the Fair. Shortly after the conclusion of the treaty, he sent the king of France letters-patents under his great seal, to confirm and specify the homage he had done at Amiens. He expressly declared, that the homage was to be deemed full, and that the homage which he himself, or his successors, dukes of Guienne and earl of Ponthieu, should pay hereafter, should be done in the same manner, and with the same formalities which the king of France had expected from him. After he had sent this authentic declaration, he took a journey to France, where he saw Philip, and obtained an abatement of thirty thousand livres Tournois, for the damage done to Burg and Xaintes, and an absolute pardon to the condemned Gascon lords. But in our relating the affairs of Edward with France, which by the bye make up the principal part of this reign, we must not neglect to inform our readers of such circumstances as are worthy of note.

Shortly after Edward's return from Amiens, he began to be suspicious of the queen his mother's conduct. As soon as it was perceived at court that the king grew weary of being under the guardianship of his mother and the favourite, their enemies failed not to endeavour to make him jealous of them. Those to whom he applied caused him to observe, that the earl of March affected to outshine his sovereign, by a magnificence far too splendid for any subject. That he disposed of all the great offices of the kingdom to his creatures: that he was absolute master of the destiny of the English, pulling down some, and raising others, according as they appeared for or against his interests: that it was by his private orders that Edward II. was murdered: that the earl of Kent had lost his life by his secret practices: finally, that it was probable the queen and her minister had formed the design of securing in their hands the royal authority, by keeping him always a minor. And the report of the queen's being with child by Mortimer, was industriously circulated all over the kingdom. These informations entirely convinced the king what he had only suspected before; he called to mind the sudden death of the king his father, the beheading of the earl of Kent his uncle, the dishonourable peace they had made him conclude with Scotland, the extravagant dowry of the queen his mother, the credit, riches, and pride of the earl of March, and abhorring the wickedness of those who had made the public good a pretence to gratify their passions, he resolved to bring them to condign punishment. To accomplish his design, he waited till the parliament was to meet at Nottingham. The court being come to that town, queen Isabella and the earl of March lodged in the castle, with a guard of one hundred and eighty knights, whilst the king, with a small retinue, took up his lodging in the town. Notwithstanding these precautions, which seemed to argue that the queen and the favourite were not without their uneasiness, Edward, who had gained the governor, entered the castle through a subterraneous passage, and came into his mother's apartment, being accompanied with Montacute and some other officers, all bent to lose their lives in his service. There was some noise made upon their appearing, and two knights of the guard were killed, who having less respect for the king than their companions, offered to resist. The earl of March was apprehended; and notwithstanding the queen's cries and intreaties to spare the gallant Mortimer, he was carried out the same way the king came in, and conducted under a strong guard to the Tower of London. Hereupon the king dissolved the parliament, and called another by proclamation. As the late parliament had not regarded so much the public good as the in-

\* *Informat. Edward. ad Papam. in Benedict. Tom VI. Post Epistol. Secret. 302 in Biblioth. Vatican. Ord. Vital. Raynald.*

† Full or liege homage was done bareheaded and sword ungirt.

‡ Besides Sir William de Montacute, afterwards earl of Salisbury, there were with the king Sir Humphrey de Bohun, and Sir William his brother, Sir Ralph de Stafford, Sir Wil-

liam de Clinton, Sir John Nevil, of Hornby, Sir William Eland, &c. The passage underground is still called Mortimer's Hole. The two knights that were killed were, Sir Hugh de Turplington, steward of the king's household; and Sir Richard Monmouth, according to the Fœdera, but according to Dugdale and Barnes, Sir John.



terests of the queen and the earl of March, the king complained in his proclamation of the members, and took occasion to exhort the people to chuse representatives who should have the good of the state more at heart. The parliament met at London, when the majority of the members were overjoyed to see the kingdom freed from the tyranny of the earl of March; they had no other views but to reform what was amiss in the government, and to punish the favourite according to his demerit; the common fate of favourites and ministers who abuse the power wherewith they are entrusted. Edward, in his speech to the parliament, complained in general terms of the queen and Mortimer. After which, he declared that, with the consent of his subjects, he designed to hold himself the reins of the government, though he was not yet arrived at the age prescribed by the law. The parliament consented to it, all the members being equally ready to second his designs. The queen was ordered to be taken into custody, and conducted to the castle of Rising in Norfolk, which was accordingly done, left by her plots and intrigues she should raise new disturbances. It is certain she lived twenty-eight years in her confinement, where the king her son paid her one or two visits every year, more out of decency than affection.

Edward next, in 1331, seized the exorbitant dowry of the queen his mother, and reduced it to a pension of a hundred pounds a year. The earl of March was treated with the utmost rigour; his impeachment, which was brought before the parliament, contained divers articles, of which the chief were these: that he had seized the government of the kingdom without authority, and contrary to the express regulation of the parliament: that he had placed about the king's person, people that were spies upon all his actions, that he might not be able to free himself from the subjection he was kept in: that he had procured the death of Edward II. by his express orders: that he had contrived a treacherous plot to take away the life of the late earl of Kent, the king's uncle: that he had appropriated to his own use the thirty thousand marks paid by the king of Scotland: lastly, that he lived in a too familiar manner with the queen-mother. For all these crimes, which they affirmed were notorious to the world, and for the proof whereof they did not vouchsafe so much as to hear the evidences, he was condemned to die. His sentence, which was, that he should be hanged for a traitor on the common gallows at Tyburn, was executed without shewing him the least favour\*. We may just observe, that the earl of March was condemned without being suffered to speak in his defence, just as he himself had served the Despenchers; but this proved an advantage to his family. Roger, his grandson, obtained afterwards an act which reversed this sentence, as given contrary to the laws and customs of the realm. His descendants by the female line some year afterwards ascended the throne of England.

Thus Edward began to wipe off the blemishes which had sullied his minority, and by holding the reins of government, gave happy presages of the glory and prosperity of the future part of his reign. This year also the young monarch was blessed with a son, whom he called Edward; this child became afterwards the most illustrious and the most accomplished prince England had ever produced.

Edward having taken upon himself the administration of affairs, the people became anxious respecting the future course of the young prince. His courage, his abilities, and his active spirit, made them believe he would not, like the king his father, chuse a life of indolence and idleness. The kings of France and Scotland too

were equally concerned to observe his first proceedings. Though the king of Scotland was his brother-in-law, it was well known in those days as well as now, that the bond of affinity is not always a sufficient bar to the ambition of princes. And Edward, who had in view the conquest both of France and of Scotland, knew it was impossible for him to engage at once in two such considerable undertakings. He therefore took the resolution to begin with the latter, that he might, after he had subdued that kingdom, attack the former, with the united forces of the two nations which divided Great-Britain.

Notwithstanding the peace which had been concluded two years before with Robert Bruce, by the queen and Mortimer, Edward thought he had a sufficient reason to break through it, and to authorize his attempt upon Scotland. To compass his ends, he made use of Edward Baliol, son of that John Baliol whom Edward I. had placed on the throne of Scotland, and had afterwards deposed as a punishment for his pretended rebellion, as his instrument. It was now thirty-eight years since his father was dethroned; after so long an interval, the son, who since the death of his father led an obscure life in France, little expected to see the king of England press him to assert his right to the crown of Scotland. This, however, was what Edward caused to be insinuated to him by lord Beaumont, who since his banishment sojourned in France. Beaumont represented to him, that he had a fair opportunity to mount the throne of Scotland, usurped by the Bruces: that David's minority afforded him a juncture which would not easily occur again; and that the king of England was inclined to second his endeavours. Baliol lent a ready ear to so pleasing a proposal; and to be certain how far he might rely upon the king, came into England, where he kept himself concealed. During that time, he treated with Edward by the mediation of Beaumont, about the terms on which he was to engage in this business.

The two parties soon came to an agreement; Baliol thought he could not purchase at too dear a rate a crown to which he would never have dared to aspire, without being backed with a powerful assistance. On the other side Edward, who minded his own more than the concerns of Baliol, and intended to reap all the benefit of this enterprize; made no scruple to promise still more than Baliol durst have hoped for. The articles of their agreement were no sooner settled, but the English nobles were privately given to understand, that in serving Baliol they would do what was agreeable to the king. There needed no more to engage in his party those who, having received the grants of lands in Scotland from Edward I. had afterwards lost them by the revolutions which happened in that kingdom. Besides these succours, Baliol might also depend in Scotland itself, upon the assistance of the old friends of his family, who found it their interest to support him. And indeed, the placing this prince on the throne was the only way to get at the offices and posts they were excluded from after Robert Bruce took possession of the throne. Whilst Baliol was getting ready, Edward, by dissimulation, made it appear, that he wished to observe the peace with Scotland, and therefore issued several orders, which were not well executed. He also published a proclamation, making it as if he had engaged in the service of Baliol; but this was not done till they were just setting out, and till it was too late to stop them; his aim being to make the public believe that he had no hand in the undertaking, though in effect he was the author of it.

Baliol, as soon as he was in readiness, embarked with his little army, in 1332, consisting but of two thousand five hundred men, and landed at Kinghorn, near Perth,

\* The earl of March left four sons, of whom Edmund his eldest died in the flower of his age, and left his son Roger, who was restored to his grandfather's estates and honours. The earl had also seven daughters, Katharine, wife of Thomas de Beauchamp, earl of Warwick; Joan, married to James lord Audley; Agnes, to Lawrence de Hastings, earl of Pembroke. No. XXIII.

broke; Margaret, to Thomas, son and heir of Maurice lord Berkley; Maude, to John, son and heir of John de Charlerton, lord Powis; Blanche, to Peter de Grandison; and Beatrix, first to Edward, son and heir to Thomas of Brotherton, earl marshal, son of Edward II. and afterwards to Sir Thomas de Broose. Dugdale.



from whence he sent back his ships, that his troops might perceive they had nothing to trust to but their valour. Mean while his preparations could not be carried on so privately but the Scots had some intelligence of them. Hardly were his men landed, when he heard that Alexander Seaton was coming to give him battle at the head of ten thousand men. All means of retreating being taken from the English, they had no hopes of safety but in victory. Accordingly having expected the coming of their enemies with a noble resolution, they fought with that uncommon bravery, that the Scotch general, with an army much superior, was shamefully and entirely routed. The earl of Fife, who was close after Seaton, with an army still more numerous, wanting to be revenged, met with no better success. After these two victories, Baliol having advanced farther into the country, met with another body of Scotch troops, whom he likewise defeated. Five days after he fought Nigel Bruce, who came to attack him with ten thousand men. In this last action he gave no quarter, because he would not be incumbered with prisoners\*. The loss of these four battles in so short a space of time, threw the Scots into the utmost consternation, and Baliol had time to besiege Perth, called also St. John's Town, of which he easily became master. He found there a great quantity of warlike stores and provisions, which he stood in extreme need of, in order to be in a condition to make farther progress. His affairs obliging him to be at a distance from Perth, Patrick Dunbar, earl of March, took the advantage of his absence, and laid siege to that town. But upon the first news of Baliol's marching to relieve it, he hastily quitted the siege, though his army was superior in number: such terror had their former losses struck into the Scots.

Upon Baliol's good success, great numbers of lords and gentlemen of the country came in and swore fealty to him. This defection, which threatened king David with a greater, obliged the young prince to fly for refuge with his queen into France, because they were no longer safe in their own kingdom. In the mean time, to forward the ruin of Scotland, Edward managed it so, that several private persons fitted out a fleet in their own name to give chase to that which the Scots had put to sea, and which was their last shift. The loss of this fleet, which was destroyed by the English, quite confounded the friends of king David; the earl of Fife, who was one of the chief submitted to the conqueror, and his example was followed by many others. Baliol now caused himself to be crowned; and the ceremony was performed at Scone, the usual place of the inauguration of the kings of Scotland. The new king was no sooner seated on the throne, than he did homage to Edward for the kingdom of Scotland, in the same manner as his father had done it to Edward I. that is, with all the circumstances which might fully denote an entire subjection. In the letters-patents which he ordered to be drawn up, he said expressly, that it was with the consent of the king of England, and the assistance of the English, that he had recovered the possession of his inheritance, of which he supposed, contrary to fact, that John his father had been deprived by Robert Bruce. He then yielded up to the king of England, as a compensation for the succours he had received from him, the town and castle of Berwick, which were still in the hands of king David. He likewise requested Joanna, sister of Edward, in marriage, if the marriage of that princess with David Bruce could be annulled. Lastly, he promised to furnish the king his sovereign with aids of men and money whenever required.

Whilst Baliol was taken up in pushing his conquests in Scotland, Edward had called a parliament in order to demand a subsidy. His pretence was certain troubles in Ireland which he represented to be of so dangerous a

consequence, that there was a necessity of sending an army thither. The subsidy was readily granted; but whilst the troops designed for that expedition were upon the march in order to embark, they received orders to advance towards the borders of Scotland. Edward having represented to the parliament, that it was dangerous to leave the northern counties without an army, whilst their neighbours were in arms; so that the Irish expedition was deferred till a future opportunity.

In 1333, Edward, finding by the rapidity of Baliol's conquests, his project succeed according to his desires, immediately threw off the mask, and began, upon frivolous pretences, to complain that the Scots had violated the treaty of peace. The regent king David had left in Scotland, spared neither excuses, nor intreaties, nor submissions to divert the impending storm; but all was in vain. Edward, who had formed the design of taking Berwick, soon laid siege to the town; he carried it on so briskly, that he soon obliged the governor to sign a capitulation, whereby he engaged to surrender the place, if it was not relieved by a certain day. During that time, the regent, seeing he could not be saved without exerting his utmost, levied an army, and was speedily advancing to give the English battle: but Edward, who received notice of it, and expected his coming at Halydon-Hill, waited for him, where a bloody battle was fought, which ended in the entire rout of the Scotch army†. This victory was followed by the surrender of Berwick, which the king annexed for ever to the crown of England. Soon after the surrender of Berwick, Baliol held his first parliament at Edinburgh, and gave up Roxburgh, Jedburg, Selkirk, Dumfries, and the castle of Edinburgh, to Edward, as a requital, as he said himself in his letters, for the assistance he had received from him for the recovering his dominions.

This voluntary homage, and these extraordinary alienations, made him lose the esteem and affections of his new subjects; and they began to suspect that Baliol was but a tool made use of by Edward to render himself master of Scotland. In this belief, they resolved to shake off the yoke of their new king, who so visibly betrayed the interests of the nation, and some of the nobles put themselves at the head of a body of malecontents, in 1334, and went in quest of Baliol, who expected to be attacked. They came upon him unawares, defeated him, and reduced him to the necessity of escaping on a horse without a saddle to Carlisle, from whence he sent his protector word of the misfortunes which had befallen him. At the same time Edward had summoned a parliament, to whom he had communicated the design which he said he had formed of going to the Holy Land with the king of France, and several other Christian princes. But the news of the revolution which happened in Scotland made him alter his pretended project. As soon as he had obtained the aid of money which he demanded, he marched towards that kingdom at the head of a numerous army, and penetrated without opposition to the northern counties, whilst the Scotch army lay encamped in such a manner that it was not possible to attack them; so that for want of having an enemy to deal with, he left Scotland and returned into England. He had hardly reached the borders, when Dunbar, who commanded the Scotch army, falling out of his retreats, took some places from the English. As the season would not permit the king to go in quest of his enemies, he put his troops into winter-quarters, and that he might not be at too great a distance, resolved to pass the winter at Roxburgh.

In the spring following he attacked Scotland by sea and land, advancing as far as the northern ocean; but he reaped no great benefit from this incursion, there being no keeping the north parts of Scotland without a standing army always upon the spot, superior to that of

\* See Boethius, Buchanan, Knighton, and Rapin.

† In this battle seven Scotch earls were slain, with nine hundred knights, and four thousand gentleman, besides thirty-

two thousand common soldiers, if we may believe the English historians. The Scotch, however, own but ten thousand which, doubtless, is nearest the truth.



the Scots. A party of the Scottish forces took prisoners the earl of Namur, and the prince his brother, who served in Edward's army. This last advantage, however, proved fatal to them, as it was the occasion of their losing the earl of Murray, regent of the kingdom\*.

In the mean time the pope and the king of France endeavoured to divert Edward from the war with Scotland, by pressing him to perform his engagement of carrying his arms into Palestine. Edward perceiving their design was to place David on the throne of Scotland after his departure, to cut off all farther solicitation, by telling the ambassadors of Philip, that by God's grace, he was in a condition to make war against the infidels, without their master's aid, as soon as he had finished the conquest of Scotland. This answer having convinced the Scots that he was determined not to put an end to the war till he was absolute master of the kingdom, the greater part of them voluntarily submitted, plainly perceiving, it was not possible for them to hold out much longer.

The new general, who, though a Scotchman, had sided with Edward, in order to revenge some affronts he had received from his countrymen, had no sooner the command of the English army, but he laid siege to Kildrumny. Dunbar, and Douglas, who commanded the Scotch forces, marched to its relief; and though their army was not near so numerous, they defeated and slew the earl of Athol, the English commander, and relieved the town. This success having inspired the Scots with fresh courage, they came together from all parts under the conduct of these two generals, who made a very considerable progress.

Edward, upon the news of this fresh revolt, marched a fourth time into the heart of Scotland, in 1335, and ravaged the counties that had declared against him. In returning, he burnt the town of Aberdeen, and some other places of less note; and having left a small army with Baliol, he went back to his dominions, where affairs of greater moment called him. This was Edward's last expedition into Scotland. It was time for that unhappy kingdom to enjoy some respite; since Edward I. had begun to attack the Scots, there had been so much Scotch blood spilt, that one cannot but be amazed that after so many losses, the people of that country should still be able to contend for their liberty.

Edward next turned his thoughts towards the reduction of France, intending to wrest the crown from Philip de Valois. We have already mentioned his claim to that kingdom, from which he was excluded by virtue of the Salic law. He affirmed, that the Salic law, in excluding females from the succession to the crown, did not exclude their male-issue, from whence he inferred that the nearest male relation ought to succeed. The Collection of Public Acts contains several pieces which plainly make appear, that although Edward had seemed to acquiesce in the judgement given against him in France, he had in his head some great design, and that it was against France.

In 1337, Edward, the better to facilitate his designs, secured in his interests the emperor Lewis of Bavaria, the duke of Brabant, the earl of Gueldres and Hainault his brother-in-law, the archbishop of Cologne, and several other German princes. He omitted not even the

private succours of divers lords of Germany, Flanders, Holland, Brabant, and Gascoigne, who were to furnish him with a number of horse in proportion to the sums he gave them. All these troops drawn together, and joined to the English, would have made a very numerous army; but these alliances were not near so advantageous to him as that procured for him by Robert de Artois, with James de Arteville, a brewer of Ghent. The credit of that burgher was so great in Flanders, that he had made the principal cities revolt against the earl†. This prince was even reduced to the necessity of flying for refuge into France, whilst Philip, who had engaged to restore him, should be able to accomplish his promise. Edward, taking the advantage of this juncture, offered his protection to the Flemings, who gladly accepted his offer, imagining they should otherwise be oppressed by Philip. The parliament, approved of his design, and granted him large subsidies to carry it on; so that he raised one of the finest armies that had ever been levied in England. Whilst all his allies were getting ready, he sent part of his troops to the assistance of the Flemings, whom their earl was vigorously attacking with French succours. Upon the arrival of these troops. Guy, brother of the earl of Flanders, who had posted himself in the Isle of Cadzant, was defeated and made prisoner. This successful beginning of the English arms broke the measures of the earl of Flanders to such a degree, that the cities, which till then had stood by him, declared against him.

In May, Edward summoned a parliament to meet at Westminster; the main business of which was to settle the woollen trade, that article being of great importance to the kingdom. In this parliament he created prince Edward, his eldest son, duke of Cornwall: he was the first in England that bore the title of duke‡.

The king being now in a condition to begin the war, wrote to the pope and cardinals, with a view to justify his expedition against France. He complained, that after the death of Charles the Fair, his uncle, the crown was devolved to him as next heir, but that he had been deprived of it by a rash and unjust sentence: that the ambassadors he had sent to Paris to demand the crown, had not only been refused to be heard, but were also threatened, and in danger of their lives: that by taking from a minor the crown, which of right belonged to him, the peers of France had acted the part of robbers rather than of judges; and that he protested against whatever had been done during his nonage. He also complained, that Philip de Valois, not content with usurping the kingdom of France, had unjustly seized Guienne and the earldom of Ponthieu, before he had declared war, and had, without cause, united these two provinces to the crown: that he had abetted the Scotch rebellion: and lastly, that by his whole behaviour, he had made appear that he was his mortal enemy, and that he beheld with extreme regret, every thing tending to the honour of England.

These complaints being made known to Philip, he answered, that by the Salic law, and the judgement of the peers, Edward was excluded from the succession to the crown of France, to which besides he could pretend no manner of right, since he was born out of the kingdom: that for his part, not only the French had re-

\* This earl, who was so generous as to give his two prisoners their liberty, having carried his civilities a little too far, in waiting upon them himself to the frontiers, had the misfortune to be taken by a party of the garrison of Roxburgh. This accident added to the losses the Scots had already sustained, that of a good general and a very able regent. See Rapin, book ix.

† This man, by undertaking to be patron to the people, had all things at his command. He never walked the streets without sixty or eighty lusty yeoman at his heels, who upon a sign given them, killed every man they met who was not a friend to this James. He collected and spent as he pleased the earl's rents and profits; he banished all the lords whom he suspected to be the earl's friends: and in every town he had

soldiers in pay, to spy and give him notice of any person who had a design against him, whom he never left till he had banished or destroyed. He was murdered at length in 1345, by the populace, for endeavouring to make king Edward's son earl of Flanders. Barnes.

‡ He was invested with this dukedom, by a wreath on his head, a ring on his finger, and a silver verge. Since which time, the eldest son of the king of England, is born duke of Cornwall. At the same solemnity were created six earls and twenty knights, among whom, says Speed, was Sir Thomas de la More, who wrote the life of Edward II. He wrote in French, but has been frequently published in English, by our general chroniclers. He treats very largely of that king's sufferings.



ceived him for their king, but Edward himself had acquiesced in their judgement: that the homage he had done in person and confirmed by his letters patents, was a clear evidence, that he was himself convinced how groundless his pretensions were. Edward replied that the protestation he had made in the presence of his council before he did homage, was a bar against its being any prejudice to him: that the fear of losing his lands in France, was the sole motive of his doing it; and that reason, added to the consideration of his minority, was more than enough to invalidate whatever had been hitherto done. In the mean while, Edward ordered the duke of Brabant to demand the crown of France in his name: at the same time he made him his lieutenant-general for that whole kingdom, with orders to the French, whom he called his subjects, to pay him obedience.

In order to prevent the calamities which a quarrel of this nature might bring upon Christendom, Benedict XII. who then filled the papal chair, used his interest with the two kings. But as Edward was the aggressor, the pope sent first to him two cardinals, with instructions to do all that lay in their power to persuade him to peace. These two legates discharged their commission with great zeal, and earnestly persuaded Edward to put the affair in negotiation. Hereupon the king, seemingly inclined to peace, told them that their mediation was acceptable to him, and that he would make a peace, provided terms were offered him answerable to his right. He even engaged to defer the execution of his designs till next March: but this was no great favour, since it was December then. He spent, however, the remainder of the winter in getting ready his army and fleet, and especially in strengthening the league by new allies. Among whom, we find in the Collection of Public Acts, the count palatine of the Rhine, the duke of Austria, and the dauphin of Viennois, who are all three reckoned by the historians among the allies of France. This gives room to suppose, they were at first engaged with Edward, but that afterwards they suffered themselves to be gained by Philip. The dauphin had entertained the project of getting his dominions erected into a kingdom; which, in all probability, was the reason of his having sided with Edward, hoping that he would use his interest with the emperor to procure him what he wanted. This project falling to the ground, he espoused the quarrel of France. The earl of Hainault, being willing also to enter into the league, desired that Edward might have the title of Vicar of the Empire, in order to have a pretence to join forces with him, as general of the emperor's army. To satisfy the earl and in hopes of bringing, by that means, other German princes to the same resolution, Edward was pleased to demand that dignity of the emperor.

Having taken the necessary precautions, Edward, in 1338, set sail from England, with a fleet of one hundred and fifty sail, and steered his course towards Antwerp. His allies being rather backward in bringing forward their forces, occasioned some delay. During this interval, Edward went and conferred at Cologne with the emperor\*, who ordered a patent to be drawn up, constituting him vicar of the empire as he had desired. This favour was accompanied with the promise of a powerful assistance, a promise which was afterwards very lamely performed. The cities of Flanders having en-

tered into the league by means of James de Arteville were grown apprehensive, they should one day be abandoned to the vengeance of their earl and the king of France. It became therefore necessary that Edward should shew himself to the Flemings, that he might inspire them by his presence to embark in his cause. With this view he took a journey to Ghent, and granted the principal cities several privileges, relating to their trade with England. In 1339 he promised to make the marquis of Juliers a peer of England, which he afterwards did, by creating him earl of Cambridge†. His power as vicar of the empire, enabled him to erect the earldom of Gueldres into a duchy, and to grant the city of Cologne divers privileges, by which means he strengthened his alliance with the archbishop. Among his allies the duke of Brabant gave him the most trouble; he being apprehensive that the two monarchs would accommodate matters at his expence, so that he was willing to secure himself before he engaged in the league. Besides the money he furnished him on the occasion, he gave him hopes of having for his son-in-law the duke of Cornwall, heir apparent to the crown of England. He likewise promised, that he would not leave the Low-Countries till the war should be over. During his stay in Brabant, Edward had been at such vast charges, that he was obliged to borrow money from various personages: and we find, by the Collection of Public Acts, that he pawned his crown to the archbishop of Triers for fifty thousand florins. While Edward was at Antwerp, his queen was brought to-bed there of a prince, who was named Lionel. Here also he received a letter from the pope, representing to him the danger he was exposing himself to by his alliance with Lewis of Bavaria, who stood excommunicated; upbraiding him at the same time, for undervaluing himself in receiving from the pretended emperor the title of Vicar of the Empire, so much beneath him; these remonstrances had little effect. Though the pope threatened to proceed to extraordinary censures against him, he chose to run that hazard, rather than interrupt the execution of his designs.

Every thing being in readiness to open the campaign, which had been retarded till September, Edward put himself at the head of forty thousand men, and encamped between Marchienne and Douay. Then he marched towards Le Cambresis, and halted some time before the walls of Cambray; here he received information that Philip was advancing with a formidable army, with design to give him battle. As this war was vastly expensive, and as it was his interest to put an end to it at once, as soon as he had received this intelligence he passed the Schelde, in order to meet his enemy. A few days after, the two armies being encamped pretty near one another, not far from Vironvoté, Philip sent a herald to offer him battle, on condition it should be on a plain where there was room enough. Edward accepted his challenge, and left it to him to appoint the time and place. The 22d of October was pitched upon for the decision of this famous battle; but whilst both sides were preparing with equal ardour for battle, Philip was discouraged by a letter he received from Robert, king of Naples‡: and upon the credit of this prediction Philip retired, not daring to hazard an engagement. Edward perceiving there was no prospect of bringing Philip to a rencontre, marched to Hainault.

\* At this interview, two thrones being erected in the open market-place, one for the emperor, the other for the king; the emperor took his place first, and king Edward sat down by him. There were present four great dukes, three archbishops, and six bishops, thirty-seven earls, and according to the heralds, seventeen thousand barons, bannerets, knights, and esquires. The emperor having his scepter in his right hand, and the globe in his left, and a knight of Almain holding over his head a naked sword, his imperial majesty did then and there declare the disloyalty, falsehood, and villainy of the king of France; and thereupon defied him, and pronounced, that he and his adherents had forfeited the protection and favour of the empire.

And then he constituted king Edward vicar-general of the empire, granting unto him full and absolute power over all on this side as far as Cologne; whereof he gave him his imperial charter in sight of all that were present. Jos. Barnes, Life of Edward III.

† On the 7th of May, 14 Ed. III. and gave him a grant of twenty pounds a year payable out of the issues of Cambridge-shire, for the support of that dignity: but he never had any summons to parliament. He was queen Philippa's sister's son. He died without male-issue.

‡ This prince, who passed for a great astrologer, foretold him he should be worsted, wherever he fought the English. In



In 1340, by the secret machinations of the king of France, aided by the ecclesiastics, Edward's affairs on the continent seemed to be in a declining posture: and, doubtless, would have brought him into a disagreeable dilemma, had not James d'Arteville advised him to assume the title of King of France. This proposal having been debated in the king's council, it was approved of as a proper means to keep the Flemings in the league. And, indeed, Edward reaped from it the advantage he was made to expect. Pursuant to this advice, he styled himself king of France, and quartered with his own arms the flower-de-luces of France; adding this motto at the same time, *DIEU ET MON DROIT*\*, by which he declared, that he put his whole confidence in God, and the justice of his cause. Some time after, he refused Philip the title of king, and forbade all his ministers to give him any other but that of earl of Valois. Having settled his affairs with the Flemings, he made no scruple to style himself king of France in all Public Acts, and to mark this year as the first of his new reign. At the same time he published a declaration, notifying to the French, that the kingdom of France being devolved to him by the death of Charles the Fair, according to God's will, which he would not oppose, he was resolved to assume the government of it. He promised his new subjects all that was usually promised on the like occasions, and offered his protection to such as, after the example of the Flemings, would own him for their sovereign. The same day he published a manifesto, containing a particular account of the injuries he pretended to have received from Philip de Valois, and the offers of peace he himself had made, that they might unite their forces against the infidels.

Notwithstanding Edward's engagements with the duke of Brabant, to stay in the Low-Countries till the war should be over, it was not possible for him to keep his word; his affairs necessarily called him into England. But to satisfy the duke, he left him in hostage four English lords of the highest rank, besides his queen and the new-born prince, who continued at Antwerp for pledges of his return. After this affair was thus settled, he passed over into England, where he arrived in February. Shortly after his arrival he summoned a parliament, which, upon granting him a considerable subsidy, obtained from him the confirmation of Magna Charta. Before they broke up, the lords and commons presented an address, praying that the title of king of France, which he used in Public Acts, might have no influence on the affairs relating to England. This request was too reasonable not to be immediately granted. Although he had not yet one foot of land in France, this new title was not displeasing to the English, who fancied their king was become the greater for it; but pope Benedict was displeased with it. He endeavoured to persuade the king to quit the title, affirming he had no manner of right by reason of the Salic law, concerning which Philip had taken care to instruct him to his advantage. His exhortations, however, prevailed not.

About Midsummer, this year, the king having made great preparations for war, he embarked for Flanders, though he had intelligence that the French fleet, consisting of four hundred sail, waited for him in the way to Sluys. His eager desire of acquiring fame, causing him to receive the news with more joy than surprize, he resolved to fight his way through the enemy, notwithstanding their superiority; his own fleet consisting only of about two hundred and sixty sail. He met them on the coasts of Flanders as he had expected, and without hesitation began the engagement. This was the greatest and most memorable that had been yet seen in those seas, and the first wherein the king of England commanded in person: the ships for the most part grappling one another, both sides fought with equal obstinacy and bravery, from eight o'clock in the morning till seven at night. If

Edward's valour filled the soldiers with admiration, his prudent conduct as a mariner raised no less wonder in the seamen. The French behaved, on their part, with a great deal of courage, but after having for several hours bore the onsets of the English, they were at last constrained to leap into the sea to avoid the sword of their enemies. Of the whole French fleet but thirty ships escaped, the rest being either taken or destroyed; so that Edward's victory could not be more complete. The English affirm that the French lost thirty thousand men. The loss of this battle, and the destruction of his fleet was kept from the knowledge of Philip a great while; nor would he have been made acquainted with it, but by an unguarded expression of his buffoon. Edward's good success afforded him an opportunity of landing his troops in Flanders, where he drew together the finest army any king of England had ever commanded. It consisted of one hundred and fifty thousand men, English, Germans, Flemings, or Gascons. With these numerous forces he laid siege to Tournay†, after he had detached fifty thousand men, under the conduct of Robert d'Artois, who posted himself near St. Omer's to favour the siege. These last troops were chiefly made up of the militia of Flanders, who knowing nothing of military discipline, went one day in a disorderly manner, to the number of eighteen thousand, to attack the suburbs of St. Omer's‡ with design to plunder. The duke of Burgundy, who had thrown himself into that place, not being able to bear this bravado, sallied out upon them, and slew above three thousand. The same night, the Flemish troops seized with fear, quitted their camp in great disorder, and shamefully retired, some to their own homes, and others into Edward's camp.

In the mean time Philip, at the head of an army much stronger than Edward's, was advancing to the relief of Tournay. He was accompanied by the kings of Navarre and Bohemia, and attended by all the nobility of his kingdom. His design was not to engage, but to harraß the besiegers, in order to oblige them to raise the siege. Edward having quickly perceived Philip's intent, sent a herald with a letter, challenging him to single combat, or offering to decide their quarrel by a hundred against a hundred, or else by a battle between the two armies. The letter was directed to Philip de Valois, without any other title. Philip answered him, that he had seen a letter addressed to one Philip de Valois, as it was not for him, he returned no answer to the contents: that nevertheless he took this occasion to let him know, that with God's help, he hoped to drive him, in a short time, out of his territories§. Edward lay three months before the town without being able to effect any thing; his army being constantly harraßed by the French forces. He could not, however, bear the thoughts of raising the siege, though he had little prospect of succeeding. He was in great perplexity; but was freed from it by Joanna de Valois his mother-in-law, sister of the king of France, and widow of the late earl of Hainault. This princess, who had retired to the abbey of Fontenelle after the death of her husband, came from her retreat, in order to endeavour to accommodate matters between the two monarchs, of whom one was her brother, and the other her son-in-law. She persuaded them to consent to a truce, which was to last from the 20th of September to the 25th of June the next year. It was afterwards prolonged for two years by the pope's mediation. As soon as the truce was signed, Edward set out for England with his queen, who had sojourned three years in the Low-Countries. She had been delivered there of two princes, namely, Lionel at Antwerp, and John at Ghent, known afterwards by the name of the duke of Lancaster. Soon after the emperor and duke of Brabant receded from the league; and the emperor revoked the patent by which he had appointed Edward vicar-general of the

\* That is, GOD AND MY RIGHT.  
† Tournay is 135 miles N. of Paris.  
No. XXIII.

‡ St. Omer's is 135 miles N. of Paris.

§ See the Collection of Public Acts, Vol. v. p. 198, & seqq.



empire. This unexpected accident, which caused some of the German princes to fall off, obliged Edward to take other measures.

Upon Edward's arrival at London, he openly complained of the archbishop of Canterbury, whom he had made his prime minister in his absence. He accused him of having maliciously obstructed the levying of the subsidy granted by the parliament, though it was by his advice, and by his instances, that he had engaged in the undertaking. Moreover he complained, that having begun the siege of Tournay upon the assurances which the archbishop had given him that nothing should be wanting, he found himself deserted when he stood most in need of assistance. That the archbishop had not only broke his word, but had likewise opposed all the expedients which had been offered to raise money. In short, that he was the sole cause of the length and ill success of the siege of Tournay. The archbishop finding himself thus exposed to the king's resentment, attempted in his turn to thwart him. Accordingly, in 1341, he complained of an extraordinary levy of money made since the king's return, contrary to the liberties of Magna Charta, and threatened the collectors employed by the king with excommunication. His aim, by this complaint, was to raise a commotion among the people. Had not the parliament disapproved of his proceedings, he would, without doubt, have carried his revenge still farther; but the fear of being abandoned, caused him to cast himself upon the king's mercy. Edward willingly received his submissions, and became reconciled to him.

About this time a dispute happened in France, concerning the dukedom of Bretagne, between John de Montfort and Charles de Blois; whereupon both of them were cited before the peers. John de Montfort, having obtained possession of the dukedom, caused the greater part of his subjects to swear fealty to him. He even came into England, where he privately did homage to Edward, acknowledging him for king of France, and making an alliance with him. Philip became highly displeased at these transactions; and Montfort withdrew from Paris. In his absence the affair was decided in favour of Charles de Blois, who was declared duke of Bretagne, and forthwith admitted to homage\*. Upon Montfort's retiring from Paris, Philip confiscated the earldom of Montfort; but to make up his loss, Edward presented him in England the earldom of Richmond. Shortly after John, eldest son of Philip de Valois, being ordered to put the decree given in favour of Charles de Blois in execution, entered Bretagne at the head of a powerful army, and Montfort shut himself up in Nantes, where he was immediately besieged. Shortly after the city was taken, and Montfort made prisoner; he was conducted to Paris, and committed to the castle of the Louvre. During the confinement of John de Montfort, his wife Margaret of Flanders, undertook to manage her husband's affairs, and to support his interests. With this view she came to London, and renewed the alliance the earl her husband had made with Edward. By this new treaty, she engaged to put into the hands of the English all the places which yet remained in her power; and for the better securing the assistance of England, she concluded a marriage between her son, and one of Edward's daughters, and left the young prince, who was only four years old, at the English court to be brought up, or by way of hostage. By this means Edward procured an entrance into Bretagne; and in 1342 he dispatched Robert d'Artois thither. Robert soon became master of Vannes, and then ordered Rennes to be besieged. Whilst his troops were employed in the siege, the heads of the other party knowing he staid at Vannes with but few men, invested the town, and carried it by storm. Robert was mortally wounded, and with great difficulty he got to Hennebont, where he died of his wounds. Edward received the news of his death with grief, and swore to be revenged on his enemies. He kept his oath but too punctually. Robert d'Artois's expedition into Bretagne, gave Philip a handle to complain that Edward had broke the truce, and

to be even with him, he caused hostilities to be renewed in Guienne. Thus the two monarchs prepared again for war, by mutually accusing each other of violating the truce.

The English army in Bretagne, under the direction of the earl of Northampton, who had taken the command after the death of Robert d'Artois, was not sufficiently numerous to make any great progress; whereupon Edward resolved to go thither in person with more forces. Upon his arrival he caused siege to be laid to Nantes, Rennes, Vannes, and Guingamp. Philip, knowing how prejudicial to him the settlement of the English in Bretagne might be, resolved to drive them from thence at any rate. To that end he raised an army of fifty thousand men, under the command of the duke of Normandy his eldest son. The young prince having marched with the utmost expedition, entered Bretagne before any of the places besieged were taken. His approach obliged the king of England to raise all his sieges, that he might draw his troops together, which notwithstanding were still inferior to those of the French. The two armies remained the best part of the winter encamped near to one another, but so well intrenched, that neither side shewed any inclination to engage. The duke of Normandy was unwilling to run any hazard, because having done what he wanted, he was in hopes of starting his enemies. Edward cared as little to venture a battle against an army much stronger than his own, unless he should be compelled to it. Whilst the two princes lay thus encamped, two legates from Clement VI. arrived, and negotiated between the two crowns, in 1343, a truce for two years, wherein the allies on both sides were included.

We must now return to the affairs of Scotland, which every way relate to the kingdom of England. Whilst Edward had been taken up in his wars with France, the Scots laid hold of the opportunity to endeavour to recover their liberty. Ever since Edward had quitted Scotland, in 1339, king David's adherents had gained several advantages over Baliol, who commanded the English army, but who had not forces sufficient to stop their progress. Robert Stuart, regent of Scotland for king David, maintained by his valour and conduct the interests of the young exiled prince. He was bravely seconded by William Douglas and some other lords, who still retained an inviolable fidelity for their lawful sovereign. Though a body commanded by Douglas had received a fatal blow, Robert continued to keep his ground to the end. He even found himself in a condition to besiege Perth, or St. Johnston, which was the strongest place the English possessed in Scotland. After a three months siege he became master of the place. This loss obliged Baliol to leave the center of the kingdom, and retire to the borders, where he sheltered himself by means of the places he had resigned to the English. The truce concluded before Tournay, wherein Scotland was included, constrained Stuart to lay down his arms for some time; but no sooner was the truce broken by the affairs of Bretagne abovementioned, than the Scots besieged Stirling, of which they obtained possession in 1340, after numberless assaults.

This progress made Edward sensible he was mistaken, in imagining that kingdom was disabled from giving him any more trouble, so that he resolved to invade it once more by sea and land. To that purpose he repaired to the frontiers, in 1341, where he waited for his fleet, which was to join him at Newcastle; but a violent storm arose, which lasted for several days, and disabled almost all his fleet, at least for that season. This accident hindered him from entering Scotland, being destitute of provisions and ammunition, which his fleet was carrying to him. He could not expect to find any in the enemies' country, because the Scots themselves had laid waste every thing, on purpose to deprive this army of the means of subsisting. However, their ignorance of the state he was in, brought him off at this time. As they found themselves no match for that prince, who threatened their country with utter destruction, they chose to sue in

\* It is affirmed, that in this judgement the peers observed not all the forms requisite in causes of this nature.



in a very humble manner for a truce, which they thought themselves very happy in obtaining. Edward did not deny them; but took the advantage of their terror, and would not grant it but upon this condition: "That they should own him for sovereign of Scotland, and renounce their allegiance to king David, in case that prince came not in person into that kingdom before May next ensuing, with an army strong enough to give battle." This condition put the king of France under the necessity of assisting his ally better than he had hitherto done, lest he should be deprived of the benefit which he reaped from the frequent diversions of the Scots. With this view, he furnished king David with men and money, and sent him into Scotland, where he levied an army, consisting of sixty thousand men, Scots, French, Danes, and Norwegians. With these troops he marched towards the frontiers of England, and penetrated as far as Durham, which he besieged. In a few days, he took the town and put all the inhabitants to the sword; shortly after he retired towards Scotland. Whilst he was upon the march back, the garrison of Werk-Castle belonging to the countess of Salisbury, having fallen upon some of his troops which had staid behind, he was so incensed at it, that he resolved to take the castle. He stormed it several times; but was bravely repulsed by the countess's people, herself being on the spot. This resistance and the news of Edward's approach made him give over his attempt. Edward arrived at the castle the same day that David retired, and paid a visit to the countess of Salisbury. The next day Edward continued his march in quest of the enemy; but being informed that the Scots were retired to Gedeor's Forest, he left off pursuing them. As his affairs were not in a good posture in Scotland, and as the war was to him very unreasonable with regard to the measures he was to take to continue that he was engaged in with France, he sent David an offer of a two year's truce, which was accepted with Philip's consent. This truce procured the king of Scotland an opportunity to fix himself more firmly on his throne, and gave the king of England leisure to think of his other affairs.

As soon as the truce with France and Scotland had afforded him some respite, he called a parliament, with a view to debate on the means of securing the welfare and tranquillity of the nation. During this session, the parliament made it their chief business to enact divers regulations for the benefit of the people. Edward also confirmed in a solemn manner, all the liberties contained in the Magna Charta, thereby making appear, that he had the good of his people at heart. Among the several acts which were passed in this parliament, one of the most important was the statute of Provisions, that is, an act against those who brought provisions from the court of Rome for benefices. Several of the popes had made a very bad use of the power they had assumed, to dispose of the ecclesiastical benefices of the kingdom\*. In this parliament the king created Edward his eldest son prince of Wales, and invested him with that principality, by an open crown on his head, and a gold ring

on his finger. The prince was then thirteen years old, and gave great hopes of what he would one day prove.

Though Edward seemed wholly taken up with domestic, he neglected not foreign affairs; he was continually on the watch to find means to renew the war with France the moment the truce was expired. To that end, he dispatched into the Low-Countries and Germany agents, with power to treat with all sorts of persons that should be willing to furnish him with men or money. By this means he frustrated the secret practices of Philip, who was perpetually endeavouring to corrupt his allies. The better to succeed in his design, and to draw into his kingdom multitudes of foreign lords, with whom he might in person negotiate, he ordered tournaments to be published, and gave an honourable reception to all persons of distinction who had an inclination to be present at them, caressing them in such a manner, that they could never be weary of admiring his politeness, magnificence, and liberality. To render these entertainments the more solemn, and to free himself at the same time from the ceremonies, which the difference of rank and condition would have obliged him to, he caused a circular hall of boards to be run up at Windsor, two hundred feet in diameter. There he feasted all the knights at one table, which was called the round table, in memory of the famous Arthur, who, as it is affirmed, instituted an Order of Knights of the Round Table. Next year he caused a more solid building to be erected, that he might continue yearly similar diversions. During that time, he treated with these lords about the succours which each could furnish him with, in proportion to his forces†. Philip could not see without jealousy, Spaniards, Italians, Germans, Flemings, and Frenchmen themselves, flock in crowds to England to assist at the tournament. He doubted whether there was not some hidden design in these entertainments; and, therefore, in order to break Edward's measures, he caused the like to be published in his dominions. This mode of oppressing his enemy was just and honourable; but soon after, he made use of other means which were not so generally approved, and which were attended with great consequences. It is asserted, that having drawn to Paris, under pretence of a tournament, Oliver de Clisson, and ten or twelve other lords of Bretagne, who attended Charles de Blois thither, he commanded their heads to be cut off without any forms of justice. But it appears by a letter from Edward to the pope upon this occasion, that Philip did not allure these lords to Paris, but had them apprehended in Bretagne. This action was the cause of breaking the truce, the circumstances of which are thus delivered to us: Oliver de Clisson, a lord of Bretagne, having served Charles de Blois during the war, was taken prisoner by Edward, who, in all probability, gained him to his side, and consented that he should be exchanged for an Englishman. Whether Philip had proof of his having changed sides, or whether he only suspected it, he ordered him to be apprehended in Bretagne, with ten or twelve lords and gentlemen, and conducted to Paris, where their

\* Oftentimes, says Rapin, without so much as staying till they became vacant, they conferred them on persons who were to take possession upon the death of the present incumbents, which raised loud complaints from the patrons of such livings. Clement VI. having carried this matter farther than any of his predecessors, the parliament had been forced to complain of it to him, but to no manner of purpose. Instead of reforming this abuse, which was so much the more intolerable, as all the benefices were bestowed upon foreigners, the pope exhorted the king in a letter, to withdraw the complaints made against the Provisions, which, in his opinion, were an undeniable prerogative of the holy see. This letter having discovered that it was in vain to expect any redress from the pope, the parliament resolved to provide against this evil by their own authority. To that end, the statute beforementioned was passed, whereby great penalties were laid upon any person, who should bring for the future, the like Provisions into the kingdom. Though this statute nettled the pope, he thought fit to be silent concerning it, being informed that the king and parliament had

resolved to stand by what they had done, and to condemn his censures in case he should have recourse to them. However, not to let his pretended right entirely drop, he chose to make as if he never minded the statute. But although he granted afterwards from time to time, several Provisions, it was with so much caution, that the abuse of them was considerably lessened during this whole reign. On the other hand, the king, who had no mind to break entirely with the court of Rome, was content with leaving the statute in force, without vigorously putting it in execution. But in the reigns of Edward's successors, the popes being returned to their former courses, there was a necessity frequently to renew this statute, which was called the Statute of Praemunire, and wherein besides the prohibition of Provisions, several other cases are included relating to the contests England had with the popes. See Rapin, book ix.

† The collection of Public Acts is full of treaties with private persons, which he managed either by himself or by his agents.



heads were struck off\*. Therefore, there is no doubt but that Philip had violated the truce,

Edward greatly enraged at the tragical death of the lords of Bretagne, was upon the point of beheading the Bretagne prisoners of Philip's party which were in his power. But upon the remonstrances of Henry of Lancaster, in 1344, he altered his resolution; however, he sent for Henry de Leon, one of the said prisoners and told him with a great deal of emotion, that although the death of his countrymen beheaded at Paris, was a sufficient reason to serve him in the same kind, he was unwilling to follow so bad an example, or to revenge himself on the innocent, but that his intention was to punish the author himself of that barbarity. Then he told him, that notwithstanding he might demand of him a ransom of thirty or forty thousand crowns, he would release him for ten thousand provided he would go in his name and defy Philip, and declare to him that having violated the truce by this base action, he had nothing to do but prepare for war.

Edward was resolved to push the war with greater vigour than ever; he ordered a commission to be drawn up, constituting the earl of Northampton his lieutenant-general in France, commanding him at the same time to defy Philip in his name, and to declare war against him by sea and land. Shortly after he sent into Guienne Henry of Lancaster, earl of Derby, to commence hostilities, till he should be able to go thither himself, designing to exert himself most in that province. In the mean time, he sent for John de Montfort into England, who had made his escape from Paris, and received his homage for Bretagne. He received likewise the homage of Geoffrey de Harcourt†, for his lands in Normandy confiscated by Philip, and obliged himself by letters-patents either to procure him his estate again, or to give him an equivalent in France or England. Not long after he published a manifesto, setting forth the many injuries he had received from Philip de Valois. After which, he invited the French to own him for sovereign, promising to exempt them from taxes, and to govern them according to the laws and customs observed in France in the reign of St. Lewis his predecessor. He did not omit to write to the pope, to inform him of the reasons he had to renew the war; but the pope's answer plainly shewed his partiality. He not only excused what Philip had done with regard to the lords of Bretagne, and charged Edward with having broke the truce first, but likewise threatened to exert his apostolic authority against him. This convinced Edward that he could expect no favour from the pope.

Whilst these things were transacting, Philip was trying to bring off the Flemings from the interest of England; but Edward, receiving notice of his secret machinations, suddenly passed over into Flanders, in 1345, where he staid three weeks. At his return, he pretended he had prevented the mischiefs he had reason to fear from the inconstancy of the Flemings: but the sequel made appear, that he had flattered himself too much, or the people had imposed upon him, since it is certain, he never received any succours from that quarter.

The earl of Derby in the mean time made a very considerable progress in Guienne, where he had carried by storm the town of Bergerac, which was given up to be plundered‡. This year the Scots, at the instigation of the king of France, made an inroad into the borders of England, but were repulsed by Edward's troops in the northern counties.

John de Montfort, who took the title of duke of

Bretagne, died in September, leaving to the king of England the guardianship of his son, and to Margaret his wife, the management of a very important war.

In 1346 Edward lost the assistance of a powerful ally, by the death of James de Arteville, who was torn in pieces by the Flemings. His death having entirely changed the face of affairs in the Low-Countries, it was by no means proper to attack France from Flanders. For this reason Edward resolved to carry the war into Guienne. The duke of Normandy, had already entered that province at the head of sixty thousand men, to stop the progress of the earl of Derby, and to complete the conquest of it. Upon the approach of this formidable army, the earl had left the field, and was retired to Bourdeaux. His retreat gave the duke of Normandy an opportunity of retaking several places. Among the rest he laid siege to the castle of Aiguillon, which is seated upon the confluence of the rivers Gironne and Lot. This siege was very remarkable, as well for the vigorous assaults of the besiegers, who for a whole week together stormed the town three times every day, as for the brave defence of the besieged, who were not to be disheartened by the frequent assaults of the enemies. To relieve these brave men Edward hastened his preparations, being determined to go in person and oppose the progress of the duke of Normandy.

Things being in readiness for his departure, he advanced to Southampton, carrying along with him the prince of Wales his eldest son, then about sixteen years old, who was to make his first campaign. Before the troops were embarked he assembled his principal officers, and exhorted them to behave in such a manner as should render them worthy of his esteem, and of the rewards he designed for those that discharged their duty. He declared, that his intention was to send back his ships the moment he should arrive in Guienne, and that therefore it would be in vain to hope to see their own country again, unless they returned victorious. He added, that if any person found his heart fail, he need only speak freely, and he should instantly have his leave to stay behind. This speech having been spread among the army, the soldiers cried out with one voice, "They were ready to follow their king wherever he was pleased to lead them." So sudden and so universal a resolution, having inspired him with great hopes, he embarked his troops with design to steer for Guienne: but the wind proving contrary, he was obliged to put back twice. Geoffrey de Harcourt, who attended him, made use of this juncture to persuade him to make a descent into Normandy, a country extremely fertile, which for a long time had not felt the calamities of a war. Edward having followed his advice, landed at La Hogue in Le Cotentin, where he was by no means expected. Here he knighted the prince of Wales his son, and several other young lords; and then headed his army consisting of thirty thousand foot, and two thousand five hundred horse. He divided his troops into three bodies, who marched a-part in the day, but commonly joined in the evening again in order to encamp all together. In their first marches they revenged in a terrible manner the death of the lords beheaded at Paris: Valognes, St. Lo, Carentan, and Harfleur, were the first towns which felt the fury of the English arms. Ralph, earl of Eu, constable of France, who was then at Caen, endeavouring to make head against the English with the militia of the country, served only, by his defeat and being taken, for a happy presage of their future victories. After the defeat of the constable, Edward continued his march through the bishoprics of Lisieux and Evreux, burning

\* Vide Rapin, book ix.

† Or rather Godfrey, brother of the earl of Harcourt, who upon seizing of the Bretagne lords had fled to England.

‡ During the plunder the earl, by an act of generosity, seldom practised by commanders, gained the affections of his soldiers, by the following circumstance: a Welsh knight happened to light upon the receiver's office; and found there such

a quantity of money, that he thought himself obliged to acquaint his general with it, imagining that so great a booty naturally belonged to him. But he was agreeably surprised when the earl told him with a pleasant countenance, that he wished him joy of his good fortune, and that he did not make the keeping his word to depend upon the great or little value of the thing he had promised.



*Engraved for Ashburton's History of England.*





and plundering whatever came in his way. He then advanced to Poissi, where he staid some days, in order to provoke Philip to an engagement. He sent a herald to him with a challenge, which was not accepted. Philip's design was to shut him up between the Seine and the Oise. If this project had taken place, the English army must have inevitably perished. But Edward perceiving his intent, broke up his camp at Poissi, with design to pass the Somme and retire into Ponthieu, knowing his enemy was advancing with an army of a hundred thousand men. He marched down the Somme a good way without being able to find a pass; at length he discovered the ford of Blanquetarque, by means of a prisoner who was well acquainted with the country. Though this discovery seemed at first sight of great advantage to him, he quickly found that the difficulties of his retreat were not much lessened. Philip, who had foreseen that the enemy might take that rout to retire, had detached Gondegar du Fay with a body of twelve thousand men to guard that pass, on which depended the success of his designs. Edward perceived himself therefore under the necessity either of forcing the pass, or of fighting under a great disadvantage his enemy who was close at his heels. He ordered his troops to advance, who being animated by the presence of their king, cast themselves into the river with such intrepidity, that they began to vanquish their enemies before they came to charge. One may easily imagine the difficulties which occur in such a passage, in the face of the enemy, for an army which cannot enlarge its front but just the breadth of the ford, and which is obliged to march through the water and handle their arms at the same time. All this was not capable of stopping the English, who, in the sight of their king, witness of all their actions, marched through these obstacles as to a certain victory. It was not possible for the French to sustain so furious an attack; and after some endeavours to repulse the English, they found themselves constrained to quit that important pass, through which Edward immediately marched his whole army. That evening he encamped at Cressy\*, whilst Philip passed the Somme at Abbeville†.

Edward perceiving himself so closely pursued, halted at Cressy, where he waited for his enemies, pitching upon an advantageous piece of ground, where he drew up his army in battle array. Philip imagining that Edward's retreat was the effect of his fear, doubted not but if he could come up with him, he should quickly vanquish him. Accordingly he set out next day from Abbeville with design to attack him; the English army was divided into three bodies, of which the prince of Wales commanded the first. The second was led by the earls of Northampton and Arundel, and the lord Ross. The king kept at some distance with the third, that he might succour those that should want it. Philip could not come in sight of the enemy till three o'clock in the afternoon, having marched that day three leagues, so that it was almost four o'clock when the battle began. He had likewise divided his army into three bodies, of which the first was made up of Genoese, commanded by Antonio Doria, and Carolo Grimoldi; they were in number about twelve thousand. As the chief strength of his infantry lay in these troops, he would have them charge first. Just as the battle was about to begin, a great and sudden shower having slackened the strings of the Genoese cross-bows, they became unserviceable; but as they were too far advanced, they were exposed to a cloud of English arrows, which made them give ground. Charles, earl of Alençon, brother to the king, who was behind them with a great body of horse, seeing them give way, without knowing the reason, imagined

there was some treachery in the case, and immediately ordered the cavalry to ride over them, by which rash action he began to put the French army in disorder. In the mean time, the earl never troubling himself about the Genoese, nor minding what was doing behind him, attacked the vanguard of the English commanded by the prince of Wales, and was received with a firmness he little expected. He continued, however, his endeavours, which tended only to make him lose his life, fighting valiantly. On account of his death, the body he commanded, began by degrees to stagger, and as they could not be supported by reason of the disorder which they themselves caused among the Genoese troops, they were at length put to flight. The prince of Wales having gained so great an advantage in this first onset, Philip ordered a numerous body of horse to advance, that they might repair the disorder caused by the defeat of the first. Thus the French had always the superiority in number, notwithstanding the English still kept their ground. In all appearance the young prince, who fought with an heroic courage, determined to conquer or die upon the spot, would have been overpowered by numbers, if the earls of Northampton and Arundel had not come to his assistance. Their approach drew thither more French troops, the small extent of the field of battle not permitting the two armies to engage all at once; so that the fight was very obstinate. The valour of the prince of Wales, which filled the English generals with admiration, made them at the same time extremely uneasy with regard to his person, on account of the superiority of the enemy's numbers. In the apprehension they were in that some misfortune might happen to him in the end, they sent word with all speed to the king, that it was time to come to the relief of the prince, who was like to be oppressed by numbers. Far from being moved at this message, Edward demanded whether his son was still alive; and upon his being told he was not only alive, but that he fought with an astonishing valour, he replied to the officer which had been dispatched to him: "Tell my generals, that as long as my son is alive, let them not send to me for succours, for the honour of the action shall be all his own, and he must this day merit his spurs." This answer brought back to the prince, having inspired him with fresh courage, he broke through his enemies who were ready to surround him. His troops imitating his heroic bravery, backed him so well, that the French began to lose ground, and at length to be dispersed in confusion. Philip had still a *corps de reserve*, at the head of which he was himself. Towards these troops the prince of Wales directed his steps, after he had routed the rest, and in this last action he acquired the greatest honour. Philip, enraged to see his two bodies routed and dispersed, exerted himself to the utmost, to match the victory from the young hero before it should be complete. The king of Bohemia, who, blind as he was, would be present in the battle, having caused his horse to be tied by the reins to those of two brave knights, was slain according to his wish, in fighting for France. His standard, on which were, embroidered in gold, ostrich feathers with these words, "*ICH DIEN*," that is, "*I SERVE*," was taken and brought to the prince of Wales, who, in memory of that day, bore three ostrich feathers in his coronet, with the same motto. In the mean time Edward, who waited with his troops on a rising ground, watched the proper time to charge, being unwilling to make too much haste, for fear of robbing the prince his son of part of his glory. But though he thus stood inactive, he failed not to strike terror into the French, who beheld him ready to fall upon them with advantage. Philip made many fruitless attempts to repulse

\* Or Cressy en Ponthieu. It is eighty-five miles N. by W. of Paris.

† Abbeville is the capital of Ponthieu, and is seated in a pleasant valley, where the river Somme divides itself into several branches. It is fifteen miles from the British Channel, and eighty N. by W. of Paris.

‡ In this manner the French historians speak of the beginning of this engagement. It must be that the strings of the Genoese cross-bows were of a different nature from those of the English, since the rain had no effect on those of the latter.



the English, and rallied some of his nobles and men of arms, throwing himself into the midst of the battle, in order to animate his troops by his example. On this occasion he gave signal proofs of his great valour. It was not till after he had been twice dismounted, and wounded in his neck and thigh, that he suffered himself to be led, though with extreme pain, out of the field of battle. His retiring having quite disheartened his soldiers, they were entirely routed with the rest of the army; then it was that a dreadful slaughter ensued of the flying troops, who were pursued till the night was far advanced. It is affirmed, that in this memorable battle, the English began for the first time to make use of cannon, a thing then unheard of in France. Four pieces, which were placed on a little hill, did great execution among the French troops, and struck them with such a dread, that the success of this day is in part ascribed to the surprize the French were in at this novelty. France lost in this battle the king of Bohemia; the earl of Alençon, brother to the king; the duke of Lorraine, the earl of Flanders, the earl of Blois, fifteen other great lords of the kingdom, twelve hundred knights, and above fourscore standards\*.

When Edward by the hasty flight of the enemies, found that his victory was complete, he advanced towards his son to shew him marks of his satisfaction. "My dear son," said he, embracing him in his arms, "you have nobly discharged your duty this day, and have rendered yourself well worthy of the crown for which you have fought." The young prince, out of countenance at the commendations the king gave him, with a modest silence fell on his knees and asked his father's blessing, according to the custom practised in England. The night which followed this glorious day was spent by the English in rejoicings; but the king commanded throughout the camp, that no one should insult over the misfortunes of the vanquished, exhorting his army to return God thanks for the victory he had been pleased to give them. On the morrow some troops, which had been sent to pursue the flying enemy, having encountered a body of militia, who not knowing what had happened the day before, were coming to Philip's camp, slew seven thousand men.

Edward continued some days near the field of battle, to bury the dead and take care of the wounded, as well those of the enemy as his own; after which he marched through Boulonnais, with a view to besiege Calais. This place, which was exceeding strong, he invested on the 8th of September, and summoned the governor to surrender, threatening in case of refusal, to put the garrison and inhabitants all to the sword. John de Vienna, the governor, made answer, that he owed no other king of France but him that had committed to him the custody of the town, in whose service he was resolved to live and die. The king, having taken a view of the fortifications, found it would be a very hard matter to carry the town by storm; so that he resolved to reduce the place by famine. To that purpose he caused lines of circumvallation to be made all round fortified with redoubts, resolutely bent not to give over his enterprize till he had carried his point. The governor, who perceived his preparations, imagined the siege would be of great length, and therefore sent away all useless people, that he might not be exposed to the danger of wanting provisions. Though, according to the maxims of war, Edward was not obliged to take pity of these miserable wretches who were to the number of seventeen hundred, he received them however into the camp, and gave them leave afterwards to retire to any part they should chuse.

In 1347 Philip, who became very uneasy about this siege, sought all possible means to raise it: he saw but two proper to that end. The first, which was to attack the lines of the besiegers, could not be put in practice speedily enough, there being no hopes of the town's holding out till he should be in a condition to relieve it. The second was to make a diversion in England by the arms of the Scots. This latter having been deemed the readiest, he persuaded the king of Scotland to make an inroad into England; he did not doubt but it would be attended with success, because the greater part of the English forces were employed in France. Philip imagined, that on this account Edward would be compelled to return to his own country, David, looking upon the interest of France as his own, put himself at the head of about fifty thousand men, and advanced as far as Durham. This unexpected invasion alarmed the English, but did not dishearten them. Young Lionel, whom the king his father had left guardian of the realm, not being old enough to command an army, queen Philippa undertook to repulse the enemy. To that end, she put herself at the head of the troops which had been drawn together from all parts with wonderful expedition, amounting to about sixteen thousand men, and marched directly towards the Scots, offering them battle. David was no less impatient to come to an engagement; he imagined nothing would be more easy than to put to flight a parcel of militia commanded by a woman. But the issue did not answer his expectation; he had not only the mortification to lose the day, but likewise to be taken prisoner by the English†.

In August this year, Edward's arms were victorious in Bretagne. Sir Thomas Dagworth, who commanded the English troops in those parts, gave Charles de Blois two overthrows, and took him prisoner in the last battle, which was fought near La Roche de Rien.

In the mean time the siege of Calais was continued by sea and land. Edward had sent for seven hundred ships to guard the sea, by which means all communication between the burghers and their countrymen was cut off; so that the town was speedily reduced to extremity. The king coming to the knowledge of the wretched condition of the besieged by an intercepted letter sent it immediately to Philip, and withal bid the messenger tell him, that he had no time to lose if he had a mind to relieve the place. Philip, pursuant to this intelligence, hastened to take the field, and approached the English camp with an hundred and fifty thousand men. He endeavoured to draw Edward out of his intrenchments, by offering him battle; but this proved ineffectual. Philip finding his designs fruitless, sent two cardinals to him with proposals of peace. He offered him Guienne, the earldom of Ponthieu, and a match between their children. Hereupon Edward replied, that Guienne and Ponthieu belonged to him, that he should quickly be master of Calais, and therefore he had nothing to do with his offers. This project not succeeding, Philip proposed to him by a herald, to decide their quarrel by a combat of six on each side. The herald having added, that the king of France would appoint the time and place, the earl of Derby made answer, "That must be Edward then, since he is the true king of France." This proposal was consequently rejected. A few days after Edward received a reinforcement of seventeen thousand men, which were brought by his queen from England. Edward, thus reinforced, offered to engage Philip in open field; but that monarch having sent a refusal, chose rather to retire. The besieged perceiving there were no hopes of being relieved, offered at length

\* See Rapin, book ix.

† The Scotch king, though he had two spears hanging in his body, his leg almost incurably wounded, and his sword beat out of his hand, disdaining captivity, provoked the English by opprobrious language to kill him; and when John Copland, governor of Roxborough-Castle, advised him to yield he struck him on the face with his gauntlet so fiercely, that he knocked out two of his teeth. But, Copland however, con-

veyed him away out of the field a prisoner. Upon his refusing to deliver him up to the queen (who stood at Newcastle during the battle,) the king sent for him to Calais, where he executed his refusal so handsomely, that the king sent him back with the reward of 500*l.* a year in land, where he himself should chuse it near his own dwelling, and made him a knight banneret. Act. Pub. V. p. 348.



to capitulate. A capitulation drove off till the last extremity, could not be of any great advantage. Accordingly Edward refused the besieged all manner of terms but that of their lives, which he was willing to grant both to the soldiers and the inhabitants. However, he excepted out of the last, six of the principal burghers, to sacrifice them to his vengeance, leaving the inhabitants to chuse the victims themselves. It was no easy matter to make choice of these six persons, and yet there was no time to lose\*. Six burghers being found who were resolutely bent to appease the rage of the conqueror by the sacrifice of their lives, went out bare-footed, in their shirts, with halters about their necks, and presented to him the keys of the town. They found him so highly incensed, that notwithstanding the intercession of the prince of Wales, and of the great men about him, he commanded them to be led to execution. But if he refused that favour to the pressing instances of his son, his heart relented, and he yielded to the intercession of the queen. The princess, moved with the misfortune of these miserable men, intreated him with tears to pardon them for Christ's sake. Notwithstanding his resolution, he could not behold his royal consort, whom he tenderly loved, so overwhelmed in tears, without relenting, and pardoning the captives. The queen was not content with having saved the lives only of these unfortunate men, but she ordered cloaths to be brought them; and after she had given them an entertainment in her own tent, dismissed them with a present of six pieces of gold each. Thus the important town of Calais became subject to the dominion of the English, after having held out a year's siege. A few days after Edward had made his entry into Calais, he expelled the inhabitants in order to plant an English colony in their room. In all probability, this precaution was the means of England's keeping that place for two hundred years. The siege had been so long and so harrassing, that Edward thought himself obliged to give his troops some rest, by consenting to a year's truce which was proposed to him. Which done, he left a good garrison in Calais, and returned in triumph to England.

Never had the English name been more illustrious than it was at this time, and never had England enjoyed more happiness. If the valour, wisdom, and good fortune of the king gave an extraordinary lustre to the realm, the rare endowments of the prince of Wales, heir apparent to the crown, afforded no less glorious prospect for the time to come. The prodigious plenty which immediately followed Edward's victories, seemed further to demonstrate, that England was the peculiar object of Heaven's care.

The year following, 1348, ambassadors from Germany arrived, and tendered to him the imperial dignity. The election of Charles IV. who had caused himself to be crowned at Bonn, not having been agreeable to all the electoral princes, some of them had resolved to make a new choice, and accordingly proposed the conferring of that honour upon Edward: but he was not ignorant how much the accepting the same offer at a like juncture, had cost Richard, brother of Henry III. and therefore refused not to fall into the same snare. Besides, he looked upon the crown of France as a more substantial good.

During the prosperity the English enjoyed, it is no wonder that ease and plenty begot a looseness of manners, the usual consequence of them. Most historians affirm, that an unbridled corruption of morals prevailed throughout the kingdom at this time, and that the women laying aside their modesty, the great ornament of their sex, seemed to glory in debauchery. Nothing was more common, than to see them running in troops to the tournaments, dressed like cavaliers with swords by

their sides, and mounting their steeds adorned with rich trappings, without any regard to their honour or reputation. The men's excesses were no less scandalous. These irregularities were not long unpunished; a terrible plague, which after having raged in Asia and some parts of Europe, had penetrated into France, and passed from thence into England: it made such dreadful havoc there, that one half of the nation perished by it. London especially felt the effects of its fury, where, it is related, that in a year's time above fifty thousand persons were buried in one church-yard belonging to the Cistercians, now the Charter-House.

In the beginning of the year 1349 Philip made great preparations for war, designing to recover Calais; but imagining bribery would be a more speedy way, he thought of bribing the governor Aymeri de Pavia, who promised to deliver up the place for twenty thousand crowns. This sum being remitted to him, he found means to introduce by degrees into the town, a hundred men of arms, and twelve French knights, whom he concealed in the castle. On the day appointed for the performance of his promise, the lords of Charny and Ribaumont lay in ambush near the two gates of the town, in order to rush in, as soon as they should be opened. So well were their measures laid, that they thought themselves sure of success; but they did not know all that had passed. A little before, Edward having received some intelligence of the plot, had sent for the governor to London, and promised him his pardon, on condition he would betray the French. The villain, perceiving himself entirely ruined, if he refused to comply with the king's demand, had given him perfect information of all circumstances, and told him the day which had been agreed upon to let the enemies into the town. By this means Edward obtained full information of the circumstances, and went the evening before, attended by the prince of Wales and eight hundred men of arms, to Calais. At day-break the next morning he sallied out of one gate, and the prince of Wales at the other, to attack the French, who little expected any such thing. The king, who was pleased to fight on foot under the banner of the lord Walter de Manny, engaged in a single combat with Eustace de Ribaumont, a knight of Picardy, who made such fierce blows at him, that he struck him down twice on his knees. The speedy relief he received from his own men, freed him from this danger; and he defeated Ribaumont's troops, and took him prisoner. Whilst the king was thus employed, the prince of Wales vigorously charged the lord Charny, who after a long resistance, was worsted and taken prisoner by the prince. The French lost six hundred men on this occasion, besides a great number of prisoners, who with their two leaders were carried into the town, which a few hours before they hoped to be masters of. Edward treated the captive commanders with great respect, and addressing himself to Ribaumont, he greatly commended his valour, at the same time making him a present of a string of pearls of great value, which he wore in his cap, for a testimony of the esteem he had for him. After several other obliging words, he gave him his liberty without requiring any ransom. Before he left Calais, he made John de Beauchamp, younger son of the earl of Warwick, governor, not thinking it prudent to trust any longer the custody of that important place in the hands of a Lombard, who had suffered himself to be bribed. The next year Aymeri de Pavia fell into the hands of the French, who caused him to be torn in pieces with four horses.

Edward having completed his business, returned to England, where he soon after instituted the famous Order of the Garter. According to the common opinion, this order owes its origin to an accident in itself of

\* History ought not to pass over in silence the generous action of Eustace de St. Pierre, one of the chief inhabitants of the town. This brave burgher seeing fear and despair depicted on the countenances of his countrymen, voluntarily offered

himself to be one of the six. A generosity so uncommon affected the rest to such a degree, that five more were quickly found, who, after his example, devoted themselves for the preservation of their fellow-citizens.



no importance, but with regard to its consequences very remarkable, if it be true that it gave birth to the institution of this order of knighthood. It is affirmed, that Edward being at a ball, where the countess of Salisbury chanced to drop her garter as she was dancing, he stooped down to take it up: that the lady imagining he had some other design, and shewing her surprize at it, he said to her to clear himself, "*Honi soit qui Mal y Pense*," that is, "Evil to him that evil thinks." It is added, that in memory of this accident he instituted the Order of the Garter, to which he gave for motto, the words he had spoken to the countess. An origin which appears so little worthy of the lustre wherewith this order has all along shone since its first institution, strikes one at first sight with something disagreeable. It is, however, uncertain, why the knights wear the garter on their left leg rather than on their right, or wherefore the founder

chose to put the order under the protection of St. George. But thus much we may be assured of, that the intent of this great prince was to induce those that had then, and those that were to have in time to come, the honour of being admitted into this society, to distinguish themselves by their courage and virtue. This, of all the like orders, has best kept to the rules of its first institution. More ancient than those of the Golden Fleece, and Holy Ghost, it has never degenerated as to the number which has all along been twenty-six, including the sovereign of the order, who is always the person that wears the crown of England. The kings and other sovereign princes, who have been, and still are desirous of being admitted into this noble order, are a clear evidence of the great repute it bears throughout all Europe\*.

This year several merchants represented to Edward the

\* The habit and ensigns of the order, together with the forms of investiture, are as follow: viz.

Garter, surcoat, mantle, hood, George, collar, cap, and feather; the four first whereof were assigned by the founder, and the rest by king Henry VIII. And all these together, are called the whole habit or ensigns of the order, which we shall treat of precisely, beginning with the garter.

The royal garter, which challengeth the pre-eminence, by reason the noble order from thence is denominated, is the first part of the habit presented to foreign princes and absent knights, who, and all other knights elect, are therewith first adorned; and is of so great honour and grandeur, that by the bare investiture with this noble ensign, the knights are esteemed companions of the greatest military order in the world.

The materials whereof the garter was composed for king Charles II. were blue velvet, bordered with fine gold wire, the letters of the motto, and stops, rose and table diamonds, (the whole containing two hundred and fifty,) and the hinge of the buckle was pure gold, whereupon was the sovereign's picture to the breast, crowned with a laurel, (the military garb of the first Roman emperors); and on the backside of the pendant, which was also of gold, was engraved St. George on horseback, encountering the dragon.

When the sovereign designs to elect a companion into this most illustrious order, the chancellor belonging to the said order draws up the letters, which passing both under the sovereign's sign manual, and the signet of the order, are sent to the person by garter principal king of arms, and are to this effect:

"We, with the companions of our most noble order of the garter, assembled in chapter holden this present day at our castle at Windsor, considering the virtuous fidelity you have shewn, and the honourable exploits, you have done in our service, by vindicating and maintaining our just right, &c. have elected and chosen you one of the companions of our order. Therefore we require you to make your speedy repair unto us, to receive the ensigns thereof, and be ready for your installation upon the day of this present month, &c."

The garter, which is of blue velvet bordered with fine gold wire, (having commonly the letters of the motto of the same,) is buckled upon the leg at the time of the election, with this ceremony:

"To the honour of God omnipotent, and in memorial of the blessed martyr St. George, tie about thy leg for thy renown, this noble garter; wear it as the symbol of the most illustrious order, never to be forgotten or laid aside; that thereby thou may'st be admonished to be courageous; and having undertaken a just war, in which thou shalt be engaged, thou may'st be firm, valiantly fight, and successfully conquer."

The princely garter being thus buckled on, and the words of its signification pronounced, the elect knight is brought before the sovereign, who puts about his neck a sky-coloured ribband, whereupon is appendant, wrought in gold within the garter, the image of St. George on horseback, with his drawn sword, encountering with the dragon; the admonition being thus:

"Wear this ribband about thy neck, adorned with the image of the blessed martyr and soldier of Christ, St. George, by whose imitation provoked, thou may'st so overpass both prosperous and adverse adventures, that having stoutly vanquished thy enemies, both of body and soul, thou may'st not only receive the praise of this transient combat, but be crowned with the palm of eternal victory."

Having thus far spoken of the garter and George, wherewith a knight companion is adorned at the time of his election, we shall describe the remains of his habit, together with his installation, which is always performed at the castle of Windsor.

His stockings and breeches, being the same, are of pearl-

coloured silk, and called pantaloons. On the outside of the right knee, is fixed a knot of open silver lace, and ribbands intermixed, in form of a large rose, and a little below the knee is placed the garter. His shoes, which are of white shammy, with red heels, have each a knot, as the former, on the exterior side. His doublet is cloth of silver, adorned before and behind, and down the sleeves, with several guards, or rows of open silver lace, each lace having a row of small buttons set down the middle.

The cuffs are open, and adorned with beforementioned lace and ribbands set in small loops. At the bottom of the upper seam of each cuff, is fixed a knot of silver ribbands that fall over his gloves, which are of kid, laced at the top with silver, and adorned at the opening with a knot, as that on the cuff. Then his trowsers, which are of tiffue, the same of his doublet, and adorned with two rows or bars of lace and ribbands, as beforementioned, intermixed and set at a small distance, that the ground appears between them, being buckled round his waist, are in form of a pair of puffed breeches, reaching to the middle of his thighs. And in this habit (having a blue ribband spread over the left shoulder, and brought under his right arm, with the George appendant) he proceeds from his lodgings in the castle, to the chapter-house, where disrobing himself of his upper garment, he is invested with a surcoat of crimson velvet, lined with white taffata, during which time, the admonition is given him as follows:

"Take this robe of crimson, to the increase of your honour, and in token or sign of the most noble order you have received, wherewith you being defended, may behold, not only strong to fight, but also to offer yourself to shed your blood, for Christ's faith, the liberties of the church, and the just and necessary defence of them that are oppressed and needy."

After this, his sword is close girt about him over his surcoat, with a belt the same as the coat, and then bearing his hat in his hand, which is of black velvet, adorned with a diamond band, and a plume of white feathers, with a hexon sprig in the middle, he proceeds to his installation in St. George's Chapel, being conducted between two knights companions of the order, to the seat below his stall, where he (garter king of arms having on a crimson velvet cushion, laced and tasselled with gold, brought the mantle, collar, hood, and the book of statutes) laying his right hand on the New Testament, the oath is administered to him in the following manner:

"You being chosen to be one of the honourable company of this most noble order of the garter, shall promise and swear by the Holy Evangelists, by you here touched, that wittingly or willingly you shall not break any statute of the said order, or any articles in them contained, the same being agreeable, and not repugnant to the laws of almighty God, and the laws of this realm, as far forth as to you belongeth and appertaineth: So help you God and his holy word."

As soon as the knight elect hath taken the oath, he is conducted to his appointed stall, where he is invested in manner following:

The mantle which is lined as the surcoat, is of sky-coloured velvet, adorned on the left shoulder with St. George's cross, encircled with the garter wreathed on the edge with blue and gold; and the said mantle being put on him by the two knights that led him into the choir, is fastened about his neck with a cordan or robe-string, made of the same coloured silk and Venice gold twisted, the ends whereof are made into large knobs of buttons enriched with a caul, and fringe. And whilst the ceremony of investiture with the mantle (which is tied upon the right shoulder) is performing, the words of admonition proper thereto, are thus pronounced by the register:

"Receive this robe of heavenly colour, the livery of this most excellent order, in augmentation of thy honour, enobled with the shield and red cross of our Lord, by whose power thou may'st



the danger they were in from the Spanish corsairs which infested the English Channel; and the king, to satisfy his subjects, promised to clear the sea of the piratical rovers. To that end, having got together some of his ships of war, he resolved to give chase to the corsairs himself. He fought and defeated them, took twenty of their ships, sunk many more, and dispersed the rest. This action, though in itself of no great importance, appeared to him so glorious, that he caused a gold coin to be minted, whereon he was represented on board a ship with his cutlass in his hand, in order to perpetuate the memory of it.

On the 22d of August, 1350, died Philip de Valois, who did not live to see the end of the truce he had made with Edward, leaving for successor John his son, who renewed the truce till Whitsuntide, 1354. But it was ill kept on both sides. In Bretagne, Galcoigne, and Picardy, frequent acts of hostility were committed, which occasioned mutual complaints, and even reprisals, each party throwing the blame on his enemy. The earl of Derby, who had been honoured with the title of duke of Lancaster\*, was sent to Calais with an army as if it had been open war. He made inroads into the French territories, and ravaged the country from Calais to Touraine. The greatest advantage Edward reaped from the non-observance of the truce, was the getting possession of the town of Guines by bribing the governor. When king John complained of it, Edward replied, that Philip his father by attempting to surprize Calais had taught him that truces were vendable, and that the purchase of a place was no violation of them. This advantage, however, no way balanced the loss Edward sustained in Flanders, by the defection of the Flemings. They had hitherto acted fairly; but the face of affairs was entirely

changed in that country. After the death of the earl of Flanders, slain at the battle of Cressy, the Flemings had sent deputies to Philip de Valois, demanding the son of their deceased sovereign, under colour of putting him in possession of his father's inheritance. Philip consented to their request, and as soon as they had the young prince in their power, they contracted him in marriage to one of Edward's daughters. The young prince, whose education had wholly attached him to the interests of France, not chusing to marry into the family of his sovereign's enemy, privately withdrew from Flanders in 1352, and cast himself again into the arms of the French. From thenceforward the Flemings by degrees fell off from their allegiance with England. They even approved of the match which Philip made between their earl and the duke of Brabant's daughter, who had broke with Edward. Their fickleness was the cause that the staple† of English wool, which had been set up in their country, was removed into England, in 1353, to their great detriment, but to the benefit of the English.

The new king of France seemed desirous that the truce might be changed into a firm and lasting peace, to which Edward was not averse. In the negotiations on this occasion, John offered, in 1354, to give up Guienne to the king of England, with the earldoms of Artois and Guisnes, to hold them in full sovereignty without doing homage to the crown of France; but quickly after he abruptly broke off the negociation, which ended only in prolonging the truce till April the year following.

The obstinacy of the Scots at this time, to stand by their king, though a prisoner, fully convinced Edward that it would be a difficult matter to reduce Scotland, while he should be at war with France. This consideration led him to patch up a peace with the Scots, till a

may'st safely pierce the troops of thy enemies, and be over them ever victorious; and being in this temporal warfare glorious in egregious and heroic actions, thou may'st obtain eternal and triumphant joy."

Next, the hood, which is made of crimson velvet, and lined with white tuffata, was formerly worn upon the head; but now the cap taking place, it is laid upon the right shoulder over the mantle, and fastened by the tippet, which comes athwart his breast, and tucks under his girdle: but this having no ceremony, we proceed to the collar.

The collar, which weighs thirty ounces troy, of pure gold, was brought in by Henry VIII. and contains twenty-six garters enamelled, and as many knots, alluding to the sovereign of the order, and his twenty-five companions, and with the roses and mottoes, is exactly formed and joined, whereunto St. George on horseback, in armour, is appendant, encountering the dragon with a tilting spear; which medal being also of gold, may be enriched with jewels at the pleasure of the possessor. And this collar, with the George, being part of the habit, is put over the mantle and hood, being fastened on each shoulder by a silver ribband, with the following ceremony:

"Wear this collar about thy neck, adorned with the image of the blessed martyr and soldier of Christ, St. George, by whose imitation, provoked, thou may'st so overpass both prosperous and adverse encounters, that having stoutly vanquished thy enemies both of body and soul, thou may'st not only receive the praise of this transient combat, but also at the last, the endless and everlasting reward of victory."

Then the cap and feather being put on the head of the elect knight, his investiture is completed; and after divine service, and several religious ceremonies, and offerings at the high-altar, they, with trumpets sounding, march to dinner.

About the latter end of the reign of king James I. it was decreed, that the Lesser George, which heretofore was daily worn before the breast, in a gold chain, should, for the more convenience of riding or action, be worn appendant at a blue ribband, spread over the left shoulder, and brought under the right arm, as before-mentioned; which method has so continued to this day, and even in the time of mourning. And this medal, which represents St. George in a riding posture, with his sword drawn, encountering the dragon, is likewise of pure gold, and may be enriched as the former; but is always encompassed with the garter, which that is not.

In the reign of king Charles II. it was ordained, that the sovereign and knights companions, as also of the prelate and chancellor, should at all times, and in all places, and assemblies, when they were not adorned with their robes, wear upon the left side of their coats, cloaks, or riding cassocks, the

No. XXIV.

cross of the order, encompassed with the garter, to shew the world, what height of honour they arrived to, from the said most noble order, instituted for persons of the greatest merit and worth. And to the said cross and garter, the said king Charles added a silver star of eight points, and for the greater convenience of travelling, the companions of the order were permitted to wear the blue ribband under their boot instead of the garter; but without that and their Lesser George, and star, &c. they by the statutes of the order, are never to appear in public, except upon the principal and solemn feasts of the year, when they wear their collars, and then the ribband and George is laid aside.

At the great solemnity of the installation of a knight of the garter, his helmet, crest, sword, banner, and plate, are to be set over his stall in the chapel of St. George at Windsor, as a mark of honour, and are there to remain during his being of that order, the plate containing the inscription of his name, titles, &c.

Camden reckons in his time twenty-two kings, besides the kings of England, and as many foreign dukes and princes, belonging to this order. He has likewise given us a list of the first twenty-six knights who are called the founders of the order, namely, Edward III. king of England; Edward his son, prince of Wales; Henry, duke of Lancaster; Thomas, earl of Warwick; Ralph, earl of Stafford; William Montacute, earl of Salisbury; Roger Mortimer, earl of March; Capdall de Buche, John L'Isle, Bartholomew Burgwash, John Beauchamp, John de Mohun, Hugh Courtney, Thomas Holland, John Grey, Richard Fitz-Simon, Miles Stapleton, Thomas Walle, Hugh Wriothesley, Niel Loring, John Chandos, James de Audley, Otho Holland, Henry Eane, Zanchet Dabridgecourt, William Paynel. The countess of Salisbury, who it seems gave occasion for the founding this order, was the wonder of her time for shape and beauty.

\* Son of Henry, brother of Thomas, earl of Lancaster, beheaded in the reign of Edward II. who was son of Edmund younger son of Henry III. This Henry, for his merits, was advanced by the king's special charter, dated the 6th of March, 25 of Edward, to the title of duke of Lancaster, being the second that bore that title in England. Tindal.

† Staple signifies this or that town, whither the merchants of England were by authority of parliament to carry their wool, cloth, lead, and tin, for the selling them by the great. What were the staple commodities of this realm may be seen in the statute of 14 Richard II. c. i. as wool, leather, wood-fells, lead, tin, &c. The staple of wool was removed to Westminster, Canterbury, Chichester, Bristol, Lincoln, and Hull.



more favourable opportunity should offer to renew the war. This peace could not be brought about without their king's obtaining his liberty; so firmly did they insist upon that article. To settle this affair, Edward had appointed commissioners to treat with the Scots, concerning king David's liberation. This negotiation, which went on slowly, ended at length in a treaty which was concluded at Newcastle, July the 13th, 1354, whereby Edward obliged himself to set David free for a ransom of fourscore thousand marks of silver\*. This treaty was ratified a little after by the prince of Wales, his son, but it was not executed; so that David continued a prisoner till 1357.

On the conclusion of this treaty, Edward bent his thoughts chiefly towards France. The truce being about to expire, he invested the prince of Wales his son with the duchy of Guienne; and having sent him thither, commanded him to renew the hostilities†. Whilst the prince of Wales was preparing to renew the war in Guienne, the king his father having landed at Calais, ravaged Boulonnois and Artois without opposition. Edward staid not long in France, but shortly returned to England, where the Scots had taken Berwick by surprise, so that they had opened for themselves a passage into England.

Soon after his arrival he called a parliament, which met at Westminster, November 25, 1355. He set forth the treachery of the Scots, who after a treaty concluded and ratified, had abused his sincerity, and suffered themselves to be seduced by the king of France. The parliament knowing the necessity of recovering Berwick, and the king's occasion for money to continue the war with France, granted him a tax of fifty shillings upon every sack of wool sold in the kingdom for six years‡. With this aid the king raised an army, and marched towards the borders of Scotland. Upon his approach the Scots quitted Berwick, after having demolished the fortifications, which he revenged by ravaging their country. This proceeding of the Scotch altered the king's mind as to peace, and caused him to take a new course with respect to the affairs of Scotland. As Baliol was entirely dependant on the king of England, Edward thought it necessary, in order to stop the progress of the Scotch in favour of their king David, to cause Baliol to resign the crown of that realm in the beginning of 1356, for a pension of two thousand pounds sterling per annum. This was a small recompence for a crown, had it not been an imaginary one, which Baliol was not very unwilling to part with. This resignation proved fatal to David; by that means, he was more closely confined, and lost the hopes he had entertained of recovering his liberty.

By the Collection of Public Acts, p. 862, it appears

\* See Act. Pub. Vol. v. p. 798, 799.

† Some affirm, that king John had already invested the dauphin Charles his son with that duchy, and that his so doing was the cause of breaking the truce. But there is no mention of this circumstance either in the French histories, or in the Collection of Public Acts.

‡ It is asserted, that this subsidy amounted to more than three hundred and fifty thousand marks a year, so considerable was the woollen trade in those days.

§ Edward forgave him half the sum, on condition he would pay the other half punctually on the days agreed on. The act for this purpose is dated at Westminster the 10th of August, 1356. Act. Pub. V. 862.

|| Rapin, who gives a circumstantial account of this engagement, called the Battle of Poitiers, says, the king of France committed at first a very great error, by causing his cavalry to dismount and begin the fight. The horse, little accustomed to charge on foot, were not able to break through the English who had the advantage of the ground, in a country full of hedges, through which there was a necessity to pass in order to force their intrenchments. The unhorsed cavalry being beaten back with great loss, the infantry supplied their place, and met the same resistance, in spite of the king's endeavours, who maintained the fight for the space of four hours, animating his troops by his voice and example, without fearing to expose his person to the most imminent dangers. How much soever he might exert himself, it was not possible for him to rout this

that Charles de Blois, who had been a prisoner in England, ever since the battle of La Roche de Rien, was more fortunate than the king of Scotland, at least with regard to his liberty, though he bought it at a dear rate. He bound himself by articles with Edward to pay seven hundred thousand crowns for his ransom, and left his two sons in hostage for security of payment §.

Whilst Edward was taken up with his affairs at home, the prince of Wales ravaged the southern provinces of France, and particularly Languedoc. He had made into that province a sudden irruption, which rendered him master of Carcassone and Narbonne, from whence he carried off a very great booty, after which he retired to Bourdeaux. Having refreshed his troops, he marched again at the head of twelve thousand men, whereof not above three thousand were natives of England. He passed through Perigord and Limousin, entered Berry, and appeared before the gates of Bourges; but as he had received information that the king of France was advancing with an army of sixty thousand men, he staid not to besiege that place, but intended to retire to Bourdeaux. John, who foresaw his design, marched with such expedition, that he came up with him near Poitiers. It being impossible for the prince to retreat, he resolved to intrench himself at Maupertuis in a post encumbered with vines and hedges, and of a very difficult approach. Two legates, whom the pope had sent to the two princes to persuade them to peace, used their utmost endeavours to prevent the two armies from coming to a battle. They even brought the prince of Wales to promise, that he would repair all the damage he had done in his incursion, and be obliged not to bear arms against France for seven years. But John knew the superiority he had in numbers, and therefore rejected these offers, expecting that the prince with his whole army should surrender at discretion. This resolution was not liked by the prince, who replied that he would chuse rather to die sword in hand, than do any thing repugnant to his honour, and the glory of the English name and nation. All prospect of an accommodation being passed over, the prince of Wales animated his troops by a short speech, telling them, "That victory depended not on numbers, but on bravery; that for his own part, he was determined to conquer or die; and that he would not expose his country to the disgrace of paying his ransom." King John's generals advised him to starve this little army, which would shortly be in want of necessities. This advice was not consistent with his impatience; and therefore full of the pleasing prospect of obtaining an easy victory, and of revenging his subjects, he resolved to attack the enemy. The attack began, the fight continued for some time with great obstinacy, and the prince of Wales gained a complete victory ||.

handful of English, whom the necessity of coming off conquerors caused to fight desperately, being moreover encouraged by the example of the prince, who performed that day acts of wisdom and valour comparable to those of the most renowned generals. Of four sons which the king of France had with him, the three eldest having made off betimes with eight hundred spearmen, their retreat did not a little contribute to the discouraging the rest of the army. In the mean time king John, spurred on by despair, signalized himself in all places where was the most danger, and drew upon him the bravest of his enemies. Though he found himself deserted by his men, he failed not to strike terror into the most daring; but in all appearance he would at length have sunk under the multitude of enemies which surrounded him on all sides, and took from him all hopes of saving his life, if Denis de Morbeck, a knight of Artois, after having dispersed those who pressed him the most vigorously, had not earnestly persuaded him to yield himself a prisoner. He would very fain have delivered his sword to none but the prince of Wales, but as the prince was at too great a distance, he was forced to surrender himself into the hands of Morbeck, with Philip his fourth son, about thirteen years old, who had all along fought by his side. In this unlucky action so fatal to France, there were not above six thousand men slain: but among that number were eight hundred nobles, the duke of Bourbon, a prince of the blood; the duke of Athens, constable of France; the marshal de Nesle, and above fifty other great lords of the kingdom.

The





*John King of France surrendering his sword to Louis de Morbeck / a knight of Artois / at the battle of Poitiers.*

*Published by W & A. Colnaghi & Co. Holborn Hill Jan<sup>y</sup> 1793.*



The day after the battle, solemn thanks and praises were returned to God in the English camp for this great victory. The prince thanked his troops in such terms as ascribed to them the honour of the day, without the least mention of himself. After this he set out for Bourdeaux laden with an inestimable booty, and clogged with so great a number of prisoners, that it would have been a hard matter for the English to defend themselves in case they had been attacked. This battle was fought on the 19th of September, 1356. There were above six Frenchmen to one Englishman. The prisoners are said to have been more in number than the English army.

The news of this victory being brought to England, the people were greatly rejoiced, and the king ordered public thanksgivings to be offered up to God for eight days together in all the churches of the kingdom. The prince of Wales spent the winter at Bourdeaux, where two legates from the pope went to him, and pressed him so close, that he consented, in 1357, with the approbation of the king his father, to a truce for two years, in which were included all the allies of both crowns. In April following, he came into England, bringing his prisoners along with him. When they made their entry into London, the prince of Wales rode on a little black pad by the king of France's side, who was mounted on a fine white courser, adorned with stately trappings. Though Edward disputed with him the title of king of France, he treated him in all respects as a king, so that one would imagine he had come to pay a visit, rather than that he was a prisoner. It was in this noble and generous manner, that the father and son strove to out-do one another in comforting the unfortunate king, by all the marks of respect due to a great prince, in what state soever fortune may have placed him. It is said, that when Edward received the news of the victory of Poitiers, he told those that were about him, that his satisfaction at so glorious a success, was not comparable to the pleasure which the generous behaviour of the prince gave him. King John and prince Philip his son, were lodged together in the palace of the Savoy\*, with all the honourable freedom they could desire.

Edward had now in his power his two most potent enemies, the king of France at London, and the king of Scotland at Osbham, in Hampshire. King David ought to have had his liberty before, pursuant to the articles agreed upon three years back. Edward was, however, prevailed upon by the queen his sister, and agreed to renew the treaty made in 1354. To that end he granted passports to ambassadors from Scotland, who during a short truce, obtained their king's liberation, upon nearly the same terms as those which were in the first treaty. They obliged themselves to pay for his ransom a hundred thousand marks sterling, namely, ten thousand every year till the whole should be paid; for security of the payment whereof the king of Scotland gave twenty hostages. At the same time, a truce for ten years was concluded between the two nations. David was released upon these conditions, which he took care to ratify as soon as he was returned into his kingdom, after eleven years captivity.

The truces Edward had lately signed with France and Scotland, gave him an opportunity of confining his thoughts to the government of his own kingdom; but as nothing extraordinary passed, he spent part of his time in diversions, in which the king of France and the other chief prisoners had always a share. The tournament he held at Windsor on the 23d of April, 1358, being St. George's Day, patron of the order of the Garter, was the most magnificent that had ever been seen in England. The duke of Barant, with several other foreign princes, and an infinite number of knights of all nations were present, and were splendidly entertained.

On the 27th of November, 1358, died at the castle of Rising, in Norfolk, aged sixty-three years, after a twenty-eight years confinement, Isabella the king's mother. If the marriage of this queen was fatal to the king her husband, it was no less so to France, since it proved the occasion of a long and bloody war, which brought that kingdom to the very brink of destruction. Shortly after died Joanna, the eldest daughter of Isabella, and sister to Edward. They were both interred in the choir of the church belonging to the Grey Friars.

This year Geoffrey de Harcourt, mentioned above on account of the king's descent at La Hogue, was slain in Normandy. As by will he had made the king of England his sole heir, and as his lands belonged to the demesnes which the king of Navarre held in Normandy, Edward took possession of them, and gave them to the lord Holland.

Charles the dauphin, eldest son to king John of France, held the reins of the government of that country, by the title of lieutenant-general, which was afterwards changed into that of regent. His regency was greatly embroiled by the cabals of factious people, so that it was not possible to think of any project to free their king. The affairs of France were at that time in a deplorable state. Charles the Bad, king of Navarre, though descended from the family royal of France, daily stirred up commotions and tumults in Paris, where he had a powerful party. He persuaded the French to abridge the power of the regent, which they accordingly did; and by that means threw their state into anarchy. The nobles and officers of the army oppressed the meaner sort of people, especially the peasants, to whom they gave the nick-name of *Jaques Bon Homme*†. By oppression these poor wretches were at length drove to despair, they assembled in great bodies, and entered the country of Beauvoisin, resolutely bent to extirpate the nobles. In a little time, their number was considerably increased, and they became so formidable, that the whole forces of the kingdom were obliged to be drawn together, to disperse this army of ruffians, which grew stronger every day. This war, which was called *The Jaquery*, created the regent no small trouble.

During all these disturbances, king John treated with Edward concerning his liberty. He could not obtain it without yielding to the terms the conqueror should be pleased to impose upon him; but as he was fully informed of the disturbances in France, he believed he could not purchase too dearly a freedom, which might put it in his power to restore peace in his kingdom. For which reason, he agreed with Edward upon a treaty which was disadvantageous to France, whereby he gave up several provinces to the crown of England. The general assembly of the states being met upon this occasion in 1359, found the conditions so hard, that they refused to ratify the treaty. The states plainly perceiving by this refusal, that they had given a pretence to renew the war, offered the regent all necessary assistance to procure better terms, by force of arms; but they promised more than they performed. Edward complained of having been imposed upon, and altering on a sudden his carriage to king John, he confined him in the castle of Somerton, from whence he afterwards had him removed to the Tower of London. Without doubt, he did not think it prudent to leave that prince at London upon his parole as he was before whilst he himself should be in the heart of France, where he was resolved to carry the war.

The preparations for this fresh expedition were prodigious. An army of a hundred thousand men, which Edward transported to Calais in October, was a plain indication, that his design was to make a powerful effort to subdue France, whilst the troubles of that kingdom offered him a fair opportunity. As soon as his forces

\* So called from Peter, earl of Savoy, who lived in it. Eleanor, wife of Henry III. bought it of the fraternity of Mountjoy, and gave it to her son Edmund, earl of Lancaster.

and it was now in possession of Henry, duke of Lancaster.  
† Or James Goodman.



were landed he divided them into three bodies. The first was commanded by the duke of Lancaster, who had lately given his only daughter in marriage to John of Ghent, third son of the king\*. The prince of Wales headed the second, and the king himself commanded the last. With these numerous troops, conducted by the three most renowned generals then in Europe, Edward marched into France without any opposition.

After having traversed Artois, he entered Champagne, and approached Rheims, in order to surprize the city; but missing his aim, he advanced to Sens, which he took without much difficulty. The duke of Burgundy perceiving he was not in a condition to save his country from being ravaged, obtained in the beginning of 1360, a separate truce for three years, upon paying down two hundred thousand florins, and engaging to furnish the English army with provisions. Nivernois followed the example of Burgundy; but Brie and Gatinois were plundered. Edward's aim being to induce the French to come to a battle, he did all he could to provoke them to it: he encamped about the latter end of Lent, within seven leagues of Paris, between Chartres and Mont le Herry; but this would not draw the dauphin out of Paris: he then advanced to the very gates of the city, but was not able to attain his ends, though the smoke of the villages set on fire by the English, might have been seen from the walls of the capital. The dauphin, to whom was afterwards given the surname of the Wile, was, in effect, too prudent to run any hazard on this occasion. Knowing that Paris was able to hold out a long siege, he kept himself shut up in the city, and all Edward's bravadoes could not make him alter his resolution. He tried, however, to deliver

France from the impending danger, by offering certain proposals to his enemy, but they were scornfully rejected, as Edward thought himself in a condition to prescribe what terms he pleased. He seemed at first to have formed the design of besieging Paris; but afterwards finding it would be a difficult task, he turned back towards Beauce. Cardinal de Langres, the pope's legate, attended him every where, and pressed him continually to set bounds to his ambition; but all he could say was to no purpose at that time. Edward staid some time in Beauce, from whence he designed to lead his troops towards the Loire. But his army, though it had all along marched through very plentiful countries, lost daily a great many men by sickness. Although he was in the very heart of France, he could not flatter himself with having made any one certain conquest; this, perhaps, was one reason of his giving ear to the legate's solicitations. However, his doing so is ascribed to another cause: one day, whilst he lay encamped near Chartres, a dreadful storm arose, accompanied with thunder and hail of a prodigious bigness, which killed six thousand horses and a thousand men. The troops looking upon this as a sign of God's wrath, caused Edward to make a vow to consent to a peace upon equitable terms. The legate improving this disposition, earnestly pressed him to put his generous design in execution, and persuaded him to send plenipotentiaries to Bretagne, a village near Chartres, to treat there about a peace. Here it was the dauphin and his chief counsellors appeared for France; and for England, the prince of Wales, with such assistance as the king his father had appointed. On the 8th of May a treaty was concluded, which gave some intermission to the calamities of France†.

This

\* Then earl of Richmond. The duke of Lancaster had two daughters, Maud and Blanch. Maude, after she had been married first to Ralph, son and heir to the lord Stafford; and after his death, to William, duke of Zealand, died without issue in 1369, by which means the whole estate fell to her sister Blanch, who was married to the earl of Richmond in 1360, who upon the death of his father-in-law was made duke of Lancaster. Dugdale.

† This peace, which annulled all former treaties, and which served for foundation to new rights, makes a very considerable epocha in the English history, with regard to the differences between the two crowns. So that there is no understanding the relation of the events which ensued, without a perfect knowledge of the articles of this treaty. It is therefore absolutely necessary to insert them here, abridging them however as much as possible without rendering them obscure.

#### TREATY OF BRETAGNE.

*Signed May the 8th, 1360.*

I. *Imprimis*, IT is agreed, that the king of England, besides what he holds already in Guienne and Gascoigne, shall have for himself, his heirs and successors, and shall hold in the same manner as the king of France and his eldest son, or their ancestors kings of France have held, namely, what is in sovereignty, in sovereignty, and what is in demesne, in demesne, the following particulars: Poitiers, and the whole earldom of Poitou, with the Fiefs of Thouars and Bellevill—Xaintes and all Xaintonage, on both sides of the Charente—Agen, and all Agenois—Perigueux and all Limosin—Cahors and all Quercy—Tarcy and all the Country of Bigorre—The Earldom of Clair—Angoulême and all Angoumois—Rhodez and all Rovergne—That all the lords whose lands lie within the above-said territories, as the earl of Foix, Armagnac, the Ise of Perigord, the viscount of Limoges, and all others whatever, shall do homage to the king of England.

II. *Item*, That the king of England shall have Montreuil and its territories.

III. *Item*, The earldom of Ponthieu and its dependencies.

IV. *Item*, Calais, town, castle, and territory, with the Lordships of March, Sangate, Couloigne, Homes, Wall, and Oye.

V. *Item*, The city and earldom of Guisnes, in like manner as the late earl held them.

VI. *Item*, All the ile adjacent to the above-named counties.

VII. It is also agreed that the king of France and the Dauphin his eldest son, shall make over to the king of England within a year after Michaelmas next ensuing, all the

honours, obediences, homages, allegiances, rights, dominion mere and mixed, and all kind of jurisdictions, high and low, resorts, safeguards, patronages of churches, and all manner of lordships and sovereignties, with all the rights which they had or might have had under any title or colour of right whatever, vested in them or in the crown of France, to the afore-said places, and their dependencies, without reserving any thing for them or their successors. That they shall enjoy by their letters-patent, all prelates, earls, viscounts, barons, nobles, and burghers, to obey the king of England, in like manner as they obeyed the kings of France, and shall release them from all homages, services, obligations, oaths, and subjections, performed by any of them to the kings of France, or to the crown, in what manner soever.

VIII, That the king of England shall have all the afore-said places, with all their appurtenances, and dependencies, to hold them, himself and successors, by inheritance for ever; namely, in demesne, what the king of France held in demesne; in fee, service, sovereignty, and resort, what the king of France held in that manner; and that all alienations made by the kings of France within the seventy years past, that the kings of England were dispossessed of them, shall be annulled and made void.

IX. That the king of England shall hold in all the afore-said places what did not belong to his predecessors, in the same manner as the kings of France did or do now hold them.

X. That if within the limits of the lands afore-said, there are any which belonged not to the kings of England, but were in possession of the king of France on the day of the battle of Poitiers, September the 19th, 1356, they shall remain to the king of England in the manner afore-said.

XI. That the king of France, and the prince his eldest son, for them and for their successors, shall make over to the king of England, within a year after Michaelmas next, all manner of right, lordship, and sovereignty over the afore-said places; and that all the subjects of the said countries shall become liege-men and subjects of the kings of England and their successors and heirs, who shall hold the said lands, as liege-sovereigns, and as neighbours of the kingdom of France, without recognizing any sovereignty, or paying any obedience, homage, resort, or subjection, and without being liable at any time hereafter to any recognizance or service, to the crown of France.

XII. That the king of France and his eldest son shall expressly renounce the said resorts and sovereignties, and all the rights which they have or may have over all the countries which by the present treaty are to belong to the king of England. That the king of England and his eldest son on their part, shall expressly renounce all things to which the present treaty



This famous treaty, which was negotiated in eight days, was approved by both the kings: John was conducted to Calais in July, and staid there four months, according to the agreement. At his first meal he was waited upon by Edward's four sons, who shewed him all possible respect pursuant to the king their father's desire.

treaty gives them not a right, and all other demands which they made before to the king of France, particularly the right and title of the crown of France: the homage and sovereignty of the duchies of Normandy and Touraine, and of the earldom of the duchies of Normandy and Touraine, and of the earldom of Anjou and Maine; the homage and sovereignty of Bretagne; the homage and sovereignty of the earldom of Flanders, and in general all other demands. That the two kings shall reciprocally and for ever renounce and quit claim to all things not specified in the present treaty, and shall agree together at Calais upon the day and place, that the said renunciations shall be made.

XIII. That in order to execute the present treaty, the king of England shall cause the king of France to be conducted to Calais within three weeks after Midsummer-Day next, at the expence of the king of England, the charges of the king of France's household only excepted.

XIV. That the king of France shall pay to the king of England three millions of crowns of gold, two of which make a noble, namely, six hundred thousand crowns at Calais, four months after the king of France's arrival there; and four hundred thousand every year afterwards, till the whole four millions are paid.

XV. That the king of France having paid within the said term of four months the first six hundred thousand crowns, delivered the hostages here under-named, and put into the hands of the king of England the town of Rochelle and earldom of Guisnes, he shall be set at liberty, and shall be free to go from Calais into his own kingdom, provided he shall not make war against the king of England till the treaty is fully executed.

*The hostages to be delivered to the king of England, as well those that were taken prisoners at the battle of Poitiers as others, are as follow:*

Lewis, earl [afterwards duke] of Anjou *.	The earl of Brenne.
John, earl of Poitiers, [afterwards duke of Berry *].	The earl of Vaudemont.
Philip, duke of Orleans, [brother to king John.]	The earl of Forez.
The duke of Bourbon.	The viscount of Beaumont.
The earl of Blois, or his brother.	The lord of Coucy.
The earl of Alençon, or Peter his brother.	The lord of Fiennes.
The earl of St. Pol.	The lord of Preaux.
The earl of Harcourt.	The lord of St. Venant.
The earl of Portien.	The lord of Garentieres.
The earl of Valentinois.	The dauphin of Auvergne.
	The lord of Hangeft.
	The lord of Montmorency.
	The lord William of Craon.
	The lord Lewis of Harcourt.
	The lord John de Ligny.

*Prisoners who are to be hostages.*

Philip of France, [who was afterwards duke of Burgundy, king John's son.]	The earl of Dammartin.
The earl of Eu.	The earl of Ventadour.
The earl of Longueville.	The earl of Salbruch.
The earl of Ponthieu.	The earl of Ancours.
The earl of Tancarville.	The earl of Vendome.
The earl of Joigny.	The lord of Craon.
The earl of Sancerre.	The lord of Deval.
	The marshal of Denham.
	The lord D'Aubigny.

XVI. That these sixteen prisoners which are to be hostages, shall no longer be deemed prisoners, but be discharged without any ransom, unless they have already agreed to pay one before the 3d of May. But in case any one of them comes not to Calais within three weeks after Midsummer-Day, he shall still be reckoned a prisoner, and constrained by the king of France to return into England as such.

XVII. If any of the hostages go out of England without leave, the king of France shall be obliged to send others of the same rank, four months after the bailiff of Amiens, or the mayor of St. Omer's shall be certified thereof by the king of England. The king of France at his departure from Calais, may take along with him ten of the hostages, such as the two kings shall agree upon; to which said hostages the king of England shall give absolute leave to go away.

XVIII. Within three months after the departure of the king of France from Calais, he shall deliver as hostages to the king of England, four of the most substantial burghers of Paris, and two of each of the following towns: Rouen, St. Omer's, Arras, Amiens, Beauvais, L'Isle, Douay, Tournay, Rheims,

\* Both sons to king John.

The four months were spent in drawing up all the necessary acts, as well for the explaining as for the confirming and executing the treaty; that they might all be signed the same day; and on the 24th of October the two kings signed and swore to the treaty at Calais, whither Edward repaired some days before. All matters relating

Chalons, Troyes, Chartres, Toulouse, Lyons, Orleans, Compeigne, Caen, Tours, Bourges.

XIX. The king of France shall be conducted to Calais, and shall stay there four months, the first month at the king of England's expence, and the other three at his own charges.

XX. Within a year after his departure from Calais he shall restore to John, earl of Montfort, his land of Montfort, for which, the said earl shall do him liege-homage.

XXI. Moreover it is agreed, that as to what relates to the dispute about the duchy of Bretagne, between Charles de Blois and John de Montfort, the two kings or their commissioners shall endeavour to settle it as soon as possible. That in case they do it not in a twelvemonth, the common friends of both parties shall try to accommodate matters. That in case the common friends of the parties cannot succeed in six months, they shall bring their informations to the two kings, who, by themselves, or by their commissioners, shall use their endeavours to determine the suit between the two claimants. That if the affair cannot be decided in six months, then the parties shall do as they think fit, with the two knights interposing. And the friends of the said claimants may assist them, without incurring for so doing any blame, reproach, or detriment. That if one of the parties refuse to appear before the two kings or their commissioners, or if the two kings having given judgement, one of the parties refuses to acquiesce in it, the two kings shall still do their endeavour to make them agree, without any force. That the homage of Bretagne shall remain to the king of France.

XXII. The possession of the lands reciprocally given up by this treaty, shall be confirmed every time that one of the two kings shall require it.

XXIII. The king of France shall restore within the space of a year to Philip of Navarre, whatever belongs to him, as well in his own as in his wife's right, in the kingdom of France. And he and his adherents shall have sufficient letters of pardon.

XXIV. The king of England may, for this time only, dispose of the estate of Geoffrey d'Harcourt, on condition that the possessor shall hold it of the duke of Normandy, or of such other lord to whom relief of the said estate is due.

XXV. No person, or country which have been subject to one of the two kings, and who by the present treaty are to be subject to either of them, shall be molested for any thing past.

XXVI. All the lands confiscated on the score of the war between the two kings, shall be restored to the proprietors. The banished shall be restored to their estates and honours, within a year after king John's departure from Calais, the lords of Fronzac and Galhard excepted.

XXVII. Within a year after his going from Calais, the king of France shall cause to be delivered to the king of England, all the lands given up by the present treaty.

XXVIII. It is likewise agreed, that as soon as the king of France shall have delivered up the lands here specified, with the necessary renunciations and mandates, namely, Ponthieu, Montfort, Saintonge, and Angoumois, the king of England, at his own charges, shall put him in possession of all that himself or his allies hold in Touraine, Angou, Maine, Berry, Auvergne, Burgundy, Champagne, Picardy, Normandy, and the Isle of France, Bretagne expressly excepted, as well as all the lands which by the present treaty are to belong to the king of England.

XXIX. The king of France shall at his expence put the king of England in possession of all that is to be yielded up to him. If any subjects prove rebellious and disobedient, the king of France shall compel them to submit at his own charge, and the king of England shall be obliged to do the same on his part. And the two kings shall be bound to assist one another to that end when required, at the expence of the party requiring.

XXX. The clergy shall be subject to that king of whom they hold their temporalities. If they hold lands of both kings, they shall be subject to both.

XXXI. There shall be good friendship and alliance between the two kings, notwithstanding any other alliances, especially with Scotland and Flanders.

XXXII. The king of France and his eldest son shall renounce all alliance with the Scots, and shall promise not to assist them against the king of England, who on his part shall be obliged to the same thing with respect to the Flemings.

XXXIII. The two kings shall cause the present treaty to



relating to the treaty being finished, king John was set at liberty on the 26th of the same month. Edward, before his departure, gave him a sensible mark of friendship, in permitting him to take along with him prince Philip his son, who had been made prisoner at the battle of Poitiers: and the two monarchs, upon parting gave one another mutual tokens of friendship and esteem. On John's arrival at St. Omer's, he ratified by his letters-patent, and voluntarily swore to all the articles of the above treaty. The rest of his behaviour every way answered to his beginning; and he shewed, upon all occasions, that his intention was to perform the engagement he had entered into. The more to convince the world of his unfeigned sincerity, he put Edward in possession of the countries which had been made over to him.

The peace between the two crowns being now firmly established, Edward sent Sir John Chandos\*, in 1361, to France, with the title of lieutenant-general, to take upon him the government of his possessions in that kingdom. This year Edward restored to the alien priors† the lands which he had taken from them twenty years before to supply the charges of the war; and this year also the plague, which still raged in England, deprived the kingdom of the duke of Lancaster, the most esteemed of the English nobility. He founded the collegiate church of Leicester, and in the same place an hospital for three hundred poor men, which still subsists‡.

The prince of Wales took this tranquil opportunity to espouse Joanna of Kent, his cousin, who was countess dowager of Holland§.

The next year, 1362, the king erected the duchy of Guienne into a principality, under the name of the Principality of Aquitaine, which he solemnly invested the prince his son with, obliging him only to pay yearly, in lieu of all service, an ounce of gold to the crown of England||. Edward spent the remainder of this year in making several wise regulations with his parliament concerning the government of England. Such, for example, was the decreeing that for the time to come, in the courts of justice and in all Public Acts, the English language should be used instead of the French or Norman,

which had been in use ever since William the Conqueror. In this parliament the king declared, that being come to his fiftieth year, he would have it solemnized as a sort of jubilee. To that end, he granted a general pardon to all offenders for all crimes whatsoever, treason itself not excepted. He confirmed also a new Magna Charta, which was confirmed ten several times in this reign. Shortly afterwards Edward created Lionel, his second son, duke of Clarence; John of Gaunt, his third son, duke of Lancaster; and the fourth, whose name was Edward, earl of Cambridge. In short, after having established a staple for wool at Calais, he spent the rest of the winter in entertainments and diversions. He took a progress into several counties, attended by the principal noblemen and French hostages, who partook of all the recreations which the people strove in emulation of one another to divert their sovereign with.

In the beginning of the year 1363, the prince of Wales set out for his government of Aquitaine. He resided at Bourdeaux, where he kept his court. This year was also remarkable for king John's return into England, where he came to yield himself a prisoner again, in order to atone for the fault the duke of Anjou, his second son, had committed in withdrawing from Calais without leave\*\*. Such is the account given by some historians, but it appears to be without foundation. The following, however, seems to have been the real cause: among the thirty hostages in the hands of Edward, besides the burghers of several cities, there were four princes of the blood; namely, Philip duke of Orleans, brother to king John; Lewis, duke of Anjou; John, earl of Poitiers, afterwards duke of Berry; and the duke of Bourbon. These four princes, who were commonly stiled, "The Lords of the Flower-de-Luce," being tired of England, sought all possible means to return to their own country. But this was no easy matter, because upon these four hostages Edward chiefly relied for the full performance of the treaty of Bretagne, and particularly for the payment of king John's ransom. Nevertheless, they persuaded him to agree, that they should have their liberty upon the following terms:

I. That the king should release these four princes,

be ratified by the pope, and confirmed by oaths, censures, &c. in the strongest manner. The two kings shall procure each for himself, all the dispensations and absolutions requisite to get the present treaty fully executed.

XXXIV. It is also agreed, that the collations to benefices, made during the war, shall be valid and stand as they are.

XXXV. The subjects of both kings may come and study in the two kingdoms, and shall enjoy the privileges of the universities.

XXXVI. And that the present treaty be well and duly executed, the two kings shall mutually give one another the following securities. Letters under their great seals: the oaths of the two kings, of all the princes of their blood, and of twenty of the most considerable lords of each kingdom. If there are any persons who refuse to obey, all proper methods shall be taken to compel them to it. The two kings shall renounce all violent ways and hostilities in case of non-performance. If through the disobedience of some persons, any of the aforesaid articles cannot be executed, the two kings shall not for that reason go to war, but shall endeavour to bring the said persons to reason.

XXXVII. *Item*, It is agreed by the present treaty, that all former treaties shall be null and void, and that neither of the two kings shall make any use of them.

XXXVIII. The present treaty shall be sworn to at Calais by the two kings personally, and within a month after the king of France's departure from Calais, they shall interchangeably send their letters-patent confirming the said treaty.

XXXIX. Neither of the two kings shall procure, by himself or by another, any innovations or obstacles from the court of Rome against the present treaty. If it should happen that the pope should go about to make any alteration, the two kings shall oppose it to the utmost of their power.

XL. As to the ten hostages which the king of England is to deliver up to the king of France, the two kings shall agree at Calais upon the manner and time of their delivery.

\* Rapin acquaints us, that Chandos was one of the most accomplished lords then in England: he was affable and tem-

perate in peace, and brave in war; in short, he was a subject every way qualified for so great an employ. As the king designed to gain the affections of his new subjects, he had taken care to send them for governor, a person whose prudence was exceeding proper to produce that effect. Moreover he had settled upon him a very considerable salary, which enabled him to keep a splendid court at Niort in Poitou, where he resided; and had invested him with power to pardon all sorts of crimes, that both by his outward lustre, and by the distribution of his favours, he might be able to procure for his master the goodwill and love of the people lately conquered.

† There were two sorts of priories, such as were independent like the abbeys, and such as depended upon some great abbey, from which they received their prior. When the convent to which any priory belonged was beyond sea, it was stiled an alien priory.

‡ He and his father both lie buried in this church. He stiles himself in his will, "duke of Lancaster, earl of Derby, Lincoln, and Leicester," &c. Knighton, who lived in that age, says: "Henry, duke of Lancaster, was the first founder of the collegiate church and hospital without South-gate at Leicester, in which he placed a dean and twelve canons prebendaries, as many vicars and other ministers, one hundred poor and weak men, and ten able women to assist the sick and weak, and sufficiently endowed the hospital." It still in some measure subsists by certain stipends paid out of the duchy of Lancaster, together with divers new charities, Camd. in Leicest.

§ The princess was daughter of Edmund, earl of Kent, who was beheaded in the beginning of this reign, by the intrigues of queen Isabella and Mortimer her favourite. She was called Joanna the Fair, by reason of her great beauty. See the beginning of this reign.

|| So that he was prince of Wales, and of Aquitaine; duke of Cornwall, and earl of Chester and Kent; this last in right of his wife.

\*\* See Act. Pub. vi. 240.



provided that before the 1st of November the territory of Belville and earldom of Gaure were delivered up to him, with the sum of two hundred thousand florins.

II. That before the departure of the princes, certain lands in Poictou should be put into his hands as a pledge.

III. That in case the first articles was not executed by the time agreed on, the lands given in pledge should remain to the king for ever, and that the four princes should surrender themselves again for hostages as before.

This agreement was ratified by John, and the four hostages were conducted to Calais, where they continued upon their parole, till the first article should be executed. It appears by Edward's letter to the prince of Wales, inserted in the Collection of Public Acts, that this agreement was not executed; and by that means the princes despaired of speedily recovering their liberty. The duke of Anjou, more impatient and less scrupulous than the rest, took advantage of the liberty allowed them, so that he went clear off, and returned no more. Four others, less considerable hostages, followed his example. This is the foundation on which it is asserted, that king John came and surrendered himself a prisoner, at London. King John, however, was not obliged to take this step, seeing he was bound to send the same hostages, or others of the same quality in their room\*. But Froissard, whose historical labours are held in great estimation, does not tell us that John cast himself into captivity again, but only that one of the motives of his voyage was to excuse, and not to repair the duke of Anjou's fault. His words are: "I was then informed" and it was true, that king John resolved to go and see king Edward his brother in England, and no person could make him alter his mind, taking it for granted that he was sufficiently advised to the contrary: and several barons and prelates told him, that he was going to commit a great indiscretion; but he replied, that he had found so much honour in the king of England and his sons, that he did not at all question but they would prove true and faithful friends to him in all things; and, moreover, he had a mind to excuse the duke of Anjou his son, who was returned into France." From what has been said, and the testimony of other writers, we cannot but conclude, that John did not return into England with a view to surrender himself as a prisoner, but only to confer with Edward in a friendly manner.

Upon his arrival at Dover, Edward sent thither the princes his sons, with a great retinue of nobles, to receive him and conduct him to London, where he paid all the respect due to his rank and merit. The kings of Scotland and Cyprus, who were then in England, made his reception the more splendid. The former was come to pay Edward a visit, and the latter to desire his aid against the infidels. Upon so uncommon an occasion Edward took a pleasure in entertaining his illustrious guests with all possible magnificence. The mayor of London made also a splendid entertainment for the four kings on the city's account†. King John lodged in the palace of the Savoy as before, and was treated at Edward's expence, till about the middle of March, three months after his arrival at London, when

he was seized with a fit of sickness, which deprived him of his life, on the 8th of April, 1364, to Edward's great grief, who had a singular esteem for his virtue. There is ascribed to this prince a saying worthy to be had in eternal remembrance by posterity: "Though faith and truth were banished from the rest of the world, they ought nevertheless to be preserved in the mouth of kings." And certain it is, that he was one of the most brave, liberal, and sincere princes of his time. His body was carried to St. Denis in France; and he was succeeded by Charles V. his son, who trod not in the steps of his virtuous father.

The same year, John de Montfort, Edward's son-in-law, gained the famous battle of Avray against Charles de Blois his competitor, who was slain. This victory decided the quarrel between the two houses, who were contending for the Duchy of Bretagne, and produced the treaty of Guerande, whereby Bretagne was assigned to John de Montfort, who did homage for it to the king of France. Bertrand du Guesclin, who served Charles de Blois, and became afterwards very famous, was taken in this battle by Sir John Chandos, general of the English troops in Montfort's service. In the beginning of the year 1365, a parliament was held at Westminster, wherein the second statute against citations and provisions from Rome was made; and the staple was removed from Calais to Melcombe Regis in Dorsetshire, and Ipswich in Suffolk. This year also Sir Henry Green, chief justice, and Sir William Skipwith, another of the justices, were very heavily fined, imprisoned, and removed from their high offices, for extortion, and other enormities.

Edward's great acquisitions in France, caused pope Urban VI. to demand, in 1366, the tribute which John, king of England, had bound himself to pay to the Roman church, and of which the arrears were due for thirty years. He required the payment with such haughtiness and faith in his own power, that he had nominated even beforehand commissioners to summon Edward before him in case of refusal. The king, however, caused the pope's demand to be laid before the parliament, wherein it was declared, "That the king of England had not power to bring his realm under such servitude and subjection without the consent of his parliament: That if necessity had drove king John to do so, his engagement was null, as being contrary to his coronation-oath." That august assembly not content with so particular a decision, came also to this vigorous resolution—"That if the pope should attempt by any means whatsoever, to assert his unjust pretensions, the whole nation should, with all their force, oppose the same‡. The firmness of the parliament obliged the pope to give up his pretensions, and had not only a present effect, but prevented the king of England from being ever after troubled upon a similar occasion.

The prince of Wales lived three years in Guienne without exercising his military abilities, when on a sudden he was drawn out of this state of tranquillity by the solicitations of Peter the Cruel, king of Castile, who was lately expelled from his dominions§. Peter, as a reward for the services which the prince of Wales might

might

had lately been sacrificed to his suspicions, and the other four were not safe. Henry earl of Transtamare, one of them, seeing himself every moment threatened with the same fate, rebelled against Peter, and persuaded the king of Arragon to engage in his quarrel, together with the principal Castilian lords, who could no longer bear the tyranny of their sovereign. His enterprize not meeting with success at first, he was repulsed by the tyrant, and forced to fly for refuge to the king of France, who promised him aid. Besides the desire Charles had to revenge the death of the queen his sister-in-law, he was very glad to find employment for abundance of idle soldiers who swarmed in France since the late peace, and committed great disorders. With this view he raised for Henry's assistance an army, the command of which he gave to John de Bourbon, earl of March, the queen's cousin-german, and was pleased that Du Guesclin, whose ransom he paid to Chandos, should make one in this expedition.

With

\* See Article XVII. of the Treaty of Bretagne.

† The sumptuousness of Sir Henry Picard, citizen and wine-merchant, ought not to be passed over in silence, says Rapin. He invited the four kings, with their retinues, to a feast which he made at his own house, where they were magnificently entertained.

‡ Vide Rotuli Parliamentorum, sub anno.

§ Never did prince, says Rapin, give his people greater cause of discontent. Cruel to excess, and of an unbounded avarice, he put to death his great men upon no lawful account, and with the sole view of confiscating their estates. He minded nothing but the gratification of his passions, without any regard to honour or conscience. His barbarity was grown to that height, that he had put to death Blanche de Bourbon his wife, sister to the queen of France, that he might marry Maria de Padilla, whom he had long kept as his mistress. Of five bastard brothers which he had, the eldest



might render him, promised to yield the province of Biscay to him; and the prince, flushed with the hopes of fresh acquisition of victory, levied an army of thirty thousand men, and marched at their head. Henry, who had already caused himself to be crowned at Burgos \*, having received advice of the march of the English prince, who advanced towards Navarre (through which country Edward was to pass) with a powerful army to oppose his passage. He might very possibly have executed his design, considering the superiority of his forces, if he had avoided coming to a battle. This was what the prince of Wales was most apprehensive of; and therefore with design to provoke him to it, he sent him a very insulting challenge, which Henry imagined would turn to his prejudice if he refused to accept. The two armies being near one another, the battle was fought near Nejara, a little town on the frontiers of Castile. As the fields of Cressy and Poitiers had beheld the prince of Wales performing wonders, that of Nejara was likewise witness of his heroic actions, which after a long struggle made victory incline to his side. The Spanish army reinforced with a strong body of French troops, was entirely routed. Bertrand du Guesclin, with the marshal D'Endreglien were taken prisoners. Henry, having nothing left to trust to in Castile after the loss of his army, retired into Arragon, from whence he repaired to Languedoc, in order to implore the aid of the duke of Anjou, who was governor of that province.

As soon as the battle was over, Peter threw himself at the prince of Wales's feet, to thank him for restoring him to his kingdom. The prince of Wales lifting him up immediately, and holding him in his arms, said, that it was to God alone he was indebted for the victory, and not to a prince who had only been a weak instrument in his hand. The consequence of this good success was the restoration of Peter, in 1368, to the throne from whence he had been driven. Edward now thought of performing his promises, and rewarding the brave soldiers who had ventured their lives in his service; but Peter, no less perfidious than cruel, after having long kept them in hopes of provisions and money, repaid them with ingratitude. Poverty and famine soon bred among Edward's soldiers a mortality, which carried off great numbers, and the fear of losing the rest, obliged the prince, who was basely used, to go off extremely dissatisfied. He was even drove to the necessity of selling his plate, that he might provide for the more pressing occasions of his army, till such time as he should be able to fully to satisfy them himself. During Edward's stay in Spain, he caught an illness, from which he never thoroughly recovered. Thus ended the enterprize of the prince of Wales, an enterprize glorious indeed, if we consider only the issue, but not very honourable, in regard to the cause he espoused, since it was purely to restore to the throne the basest of princes, one who was exiled from his kingdom for the worst of cruelties, the greatest enormities, and the most unheard-of barbarities. He, however, remained but a short time before the vengeance of an incensed Deity overtook him, and avenged at once his cruelty to his own subjects, and his perfidy to the English. Du Guesclin having paid his ransom, joined Henry again, and both together carried a fresh army into the field by the assistance of France. They made so great a progress, that, in a little time, they were in a condition to besiege Toledo, Peter having hastened to the relief of the city, was defeated, and forced to fly

to the castle of Monteil, where he was immediately invested. His case was now become desperate, and he took the resolution to go to Du Guesclin in his tent, imagining that he would procure him tolerable conditions, or help him to make his escape. Unluckily for him he found Henry his brother there. The two princes falling first to reproaches, and then to blows, Henry threw his brother to the ground, and stabbed him with his dagger. After that he caused himself to be once more acknowledged king of Castile without any opposition.

Lionel, duke of Clarence, second son of Edward, having been contracted to Violante, daughter of John Galeazzo, duke of Milan, went about the end of May, 1368, to consummate his marriage, with a splendid retinue, and a great many noblemen who attended him to do him honour. For some time there was nothing but entertainments and diversions, which were daily renewed in favour of a prince whose alliance was so honourable to the duke of Milan. Lionel did not long survive his marriage, as he died in Montferrat five months after, in the thirty-second year of his age. By his first marriage with the only daughter of the earl of Ulster in Ireland, he left a daughter called Philippa.

The treaty of Bretagne was so disadvantageous to France, that Charles V. who had himself concluded it, in all probability consented not to it but with an intention to break it, when a fair opportunity should present itself; but king John his father acted fairly and honestly, keeping his word in every punctilio. Charles, his son and successor, whom the French surname the Wise, was not so very scrupulous; he was no sooner on the throne, than he endeavoured to evade what remained unexecuted of the treaty. King John's ransom was not yet paid, and Charles, it is affirmed, refused to pay what was due upon his accession to the throne: but this is not true, because he always promised payment, though he never performed it. Edward, who had still in his hands the duke of Berry, the duke of Orleans, and several other hostages, could not but believe that Charles had thoughts of renewing the war, and was persuaded that his weakness was the only cause of all his delays. Thus did affairs linger from the death of John till his successor was in a condition to take such measures, as he judged most proper to bring about his designs. He always appeared willing to complete the performance of the treaty, and under colour of paying his father's ransom, which he had bound himself to do, he heaped up vast sums of money, which the states very liberally furnished, well knowing for what purpose they were designed. With this aid he engaged several German princes in his interests, and when he thought matters were ripe for execution, he sought occasion to break the peace with England, in 1369.

Edward thought it would be a more prudent step to secure the interest of the principal lords of Guienne, before he declared war against France; but as they were disgusted at some proceeding of Edward's, the king of France told them that he would protect them, if they would revolt from their sovereign and join him. Their cause of disgust seems to have arisen from the laying on Guienne a tax called *Feuage*, or Chimney-Money, which the prince of Wales levied in order to pay the arrears due to the troops which he had raised for the Spanish war. The lord d'Albret, the earl of Armagnac, Cominges, Perigord, and Carmagne, having stirred up their vassals to complain of this new tax, received their complaints, brought them to the prince, and pre-

With these troops, and the assistance of the Castilians, Henry marched through Arragon into Castile, where the tyrant saw himself in a moment deserted by all his nobles, except one single knight. This defection putting it out of his power to withstand his brother, he would have retired into Portugal, but was denied entrance. In this perplexity, he chose to go out of Spain by Bayonne, from whence he repaired to Bourdeaux, in order to implore the aid and protection of the prince of Wales. If the young Hero had reflected

on the unworthiness of the prince who desired his assistance, he would doubtless have refused his request. But considering on this occasion only the honour of restoring a deposed king, and perhaps tired with a tedious idleness, he undertook to replace him on the throne.

\* Bruges is the capital of Old Castile, and the see of an archbishop. It is seated partly on a mountain, and partly on the river Aranzon, 97 miles E. by S. of Leon, and 117 N. of Madrid.



sented addresses to him upon that subject. Their remonstrances were ill received, both by reason the prince was in want of money, and because of the haughtiness wherewith they were made. They then applied to the king of France, whom they supposed to be still sovereign lord of Guienne, and desired him to grant them letters of appeal to his parliament. Charles not thinking proper to declare his intention, kept them some time in this state of suspense at Paris. The journey of these lords, and their long stay at the court of France, gave the prince of Wales some suspicion. He frequently wrote to the king his father, to give him notice that something was in agitation at Paris against him; but these warnings had no good effect. The king and his council imagining that the warlike prince, tired with an idle life, wanted an occasion to renew the war, paid no attention to his letters.

Whilst Edward depended on the sincerity of the French, his son's distemper growing every day worse, turned to a dropsy. The prince's ill state of health, and the king his father's infirmness, hastened the resolutions of the king of France. As he saw that he could not have a fair opportunity to accomplish his designs, he granted to the Gascon lords, the letters of appeal which they sued for, pretending, notwithstanding his oaths, and all the resignations and renunciations of the late king his father, that he was still sovereign of Guienne. He built his pretensions upon Edward's not having sent his renunciation to the crown of France, pursuant to the treaty of Bretagne. But that renunciation being only a consequence of the full performance of the treaty, Edward did not think fit to make it till the whole should be executed, as indeed he was not bound to do. However, he had absolutely quitted the title of king of France, a clear evidence that he had no ill intentions. Besides, Charles himself had not been more punctual in renouncing the provinces assigned to England by the treaty of Bretagne. These reciprocal renunciations were considered as the seal of the treaty, after the two kings should be satisfied as to the point of execution. Be this as it will, Charles made use of that pretence to summon the prince of Wales to appear personally before the court of peers, to answer for his pretended tyranny to the people of those provinces. The prince sent back word, that "he would not fail to appear, but it should be at the head of sixty thousand men." In the mean while Charles was amusing Edward, by expostulating with him, as if he were desirous that the affair should be brought to a negotiation. Edward answered by giving words for words, not being able to persuade himself that they really designed to dispute his sovereignty of Guienne, so expressly established in the treaty of Bretagne, and much less that France was in a condition to renew the war; but he was very much mistaken. It was not only the sovereignty of Guienne which Charles pretended to dispute with him; he affirmed, moreover, that the treaty of Bretagne was void, because Edward had not prevented certain bands of plunderers belonging to his dominions, from entering into France, and because he had not evacuated all the towns which were to be given up. On these pretences he caused war to be declared by a footman, because the prince of Wales had taken into custody those who carried him the summons. Shortly after, he published an edict confiscating all the lands the English were possessed of in France, and reuniting them to the crown.

Here let us remark, that notwithstanding the pretences of Charles to renew the war, that the article of Bretagne was not fulfilled on the part of England; yet it plainly appears, from the testimony of various histo-

rians, that Edward was the party aggrieved, and that Charles had violated the articles of the treaty, there still remaining unpaid of king John's ransom near two millions. It is true Edward received of Charles, at several times, about three hundred thousand crowns, which, added to what was paid by the king his father, amounted to little more than the first million, which was due seven or eight months before. Charles, upon his declaration of war, confiscated the provinces which had been assigned to England.

Edward was shortly after surprised with the news of the loss of the earldom of Ponthieu, and intelligence that the principal cities of Guienne were in arms against him. He called upon this account a parliament, which granted him a great aid for carrying on so necessary a war, wherein he was involved against his will. By the advice of this parliament, he assumed again the title of king of France, which he had quitted since the peace\*. After he had obtained this aid from his subjects, and a positive promise of assistance as long as the war should last, his first care was to send troops to the prince of Wales, to recover the cities of Guienne: which done, he dispatched the duke of Lancaster, his second son, to Calais with a powerful army. The duke ravaged the open country, but was not able to effect the taking of any place.

On the 15th of August this year, 1369, died Philippa, Edward's queen, after he had lived with her forty years in perfect union, and had by her twelve children. This good queen was likewise extremely lamented by the people, who had always found her ready to assist them in time of need. The poor especially were great losers by her death. She founded Queen's College, in Oxford.

The war was advantageously continued in France, under the conduct of Sir John Chandos, who commanded in Saintonge and Poictou, and kept up his master Edward's affairs in those parts in a flourishing condition. But by the death of this brave general, in 1370, the affairs of England began to decline in these two provinces. Guienne was in no better state. The prince of Wales, who could do little more than give directions; by reason of his illness, was extremely weakened by the revolt of the chief towns depending on his principality of Aquitain. Limoges, a city of great importance, was surprized by the French, or rather went over to them. The disloyalty of the inhabitants incited the prince to such a degree, that he resolved to chastise them. To that end, having received a supply of troops which the duke of Lancaster and the earl of Cambridge brought him, he besieged the town, took it by storm, and put all the inhabitants to the sword.

This was the last warlike exploit of that great prince; whom his distemper obliged to be carried in a litter. Finding himself, therefore, unable to act any longer, he resolved to return into England, imagining that his native air would restore him to health. After he had resigned to the king, in 1371, his principality of Aquitain, which he could no longer govern, he departed, leaving the command of the army to the duke of Lancaster. Before he sat out, he had the vexation to see Edward his eldest son die, in the seventh year of his age. He was a prince of a promising genius, and seemed to be much more like his father and grandfather than Richard his younger brother who succeeded them. The prince of Wales took his son Richard with him, in order to have him educated in England.

David, king of Scotland, died the last year, having left his crown to Robert Stuart his nephew, son of his eldest sister. Robert was no sooner seated on the throne, than he made an alliance offensive and defensive with

\* This year the king set forth an order for the arming of all clergymen: part of it runs thus: "The king commands and requires all the prelates assembled in parliament, that in regard of the great danger and damage which may happen to the realm and church of England by reason of this war, in case the enemy should invade the kingdom, that they will appear themselves in the defence of the realm, and cause their No. XXV.

"tenants, dependants, monks, parsons, vicars, &c. to be prepared for the field in a military manner," and be ready to encounter the force, and disappoint the malice of his enemies." All which the prelates in parliament engaged to perform. Rot. in Turr. Lond. in 48 Edward III. See Collier's Ecclesiastical History, Vol. I. p. 361.



France against England. But it was kept a secret, Charles not having then any need of his aid, which doubtless he reserved for a more urgent occasion.

The departure of the prince of Wales entirely ruined the affairs of the English in Guienne. The duke of Lancaster and earl of Cambridge, perceiving that with so few troops it was not possible to reduce the revolted towns, or withstand the French to any purpose, came to the resolution of going over to England to solicit fresh supplies. Before they departed, they married the two daughters of Peter the Cruel, king of Castile, turned out and slain by Henry his bastard-brother. In 1372, the duke of Lancaster, to whose share Constantia the eldest was fallen, assumed the title of King of Castile and Leon, shewing by that he designed to assert his wife's right. This step obliged Henry to unite more closely with France; as it was his interest to contribute with all his might towards the humbling of England, he resolved to assist Charles with all his forces. About this time the Flemings, who had declared for France, were defeated at sea by the earl of Hereford, who took twenty-six of their ships. But this advantage could not balance those which du Guesclin gained upon England in Guienne and the adjoining provinces. This brave general, whom Charles had drawn from the king of Castile's service, to make him high-constable of France, worsted the English in every rencontre. After having drove them out of Limosin, Perigord, and Rouergne, he marched into Saintonge, and laid siege to Rochelle, with the assistance of a fleet sent by the king of Castile to block up the town by sea. As soon as Edward had notice of this, he dispatched with all speed the earl of Pembroke with forty ships to succour the town. This precaution seemed sufficient to save Rochelle; but for some time nothing had succeeded with the English. The earl of Pembroke being just about to sail into the port, met the Spanish fleet, commanded by admiral Boccanegra a Genoese, who fiercely attacked him. The fight lasted two days, and ended at length in the entire defeat of the English fleet, the admiral and many officers being taken and sent into Spain bound with chains; this loss completed the ruin of the English affairs. Rochelle, without doubt, would have held out longer, had it not been for the treachery of the mayor, who held intelligence with the besiegers. He found means to cause the garrison to come out of the citadel, under colour of a review, and by a forged order of the king, which the governor not being able to read, took for real. As soon as the garrison was out, the mayor shut the gates, and would not suffer them to enter it again; whereupon the town capitulated, and obtained very good terms, so that the inhabitants became rather freer by having changed their sovereign. Du Guesclin, observing the consternation of the English, marched into Poictou, where he took several towns, and at length sat down before Thouars, where the principal lords of the country had shut themselves up. The siege was carried on so briskly, that the besieged were constrained to capitulate; they promised to return to the obedience of France, if the king of England or one of his sons did not arrive before Michaelmas with an army strong enough to give battle. The loss of Thouars was of too great consequence to leave that place unrelieved, especially as the king's honour was concerned in the case. Edward's great desire to save that town, and consequently the rest of Poictou, caused him to use his utmost endeavours. In a short time he got together a fleet of four hundred sail, with which he would have gone in person to raise the siege; but, owing to contrary winds, his endeavours proved fruitless. He was six weeks at sea without being able to land in Poictou; and was at last obliged to return to England, after great fatigues and a vast expence, which

had almost drained his treasury. Hardly was he arrived at London, when news was brought that the French were masters of all Poictou.

Edward's affairs scarce prospered any better in Bretagne, though the duke his son-in-law did his utmost to promote them. The people were tired out with war, and beheld with grief, that purely for the sake of the English, their country was going to be plunged again into the same calamities she was just emerged from. On the other hand, the lords of Bretagne, bribed by France, opposed with all their might the designs of their duke, and treated as enemies the troops which Edward sent thither to support the war. In this situation, the duke had it not in his power to serve the king his father-in-law according to his inclination, or to perform the engagements he had entered into by a new treaty lately made with him. The perplexity he was in made him resolve to go himself into England to solicit a supply capable of procuring him greater authority in his own dominions. He arrived in England in 1373; and Edward, who was sensible of the importance of this demand, was not in a condition to answer it fully; he therefore determined to send back the duke of Bretagne with promises only, whilst he turned his thoughts to restore the affairs of Guienne, which more nearly concerned him.

Pursuant to this resolution, he drew together an army of thirty thousand men, the command whereof he gave to the duke of Lancaster his son, who was styled in England King of Castile. The duke landed at Calais in 1374, and traversed all France without meeting with any opposition, till he arrived at Bourdeaux; from thence he advanced into Upper Guienne, with design to drive out the duke of Anjou, who had taken several towns. He offered him battle, which the French prince accepted. The day and place were appointed; but the two generals having received advice of a truce which had been concluded between the two crowns, they both retired.

In the year 1375, at the pressing instances of the pope, the two kings sent their plenipotentiaries to Bruges, where they had agreed upon the truce above-mentioned. This was done in order to enable them the better to bring about a peace; but the pretensions of the two monarchs being too opposite for a peace to be so easily made up, their negotiation ended in a prolongation of the truce to April, 1377. As soon as the truce was signed in 1376, the duke of Lancaster returned with his troops to England.

The tranquillity which this peace procured the English, in a great measure consoled them for all their losses; even the king himself appeared to put off his warlike inclinations to make room for others, which somewhat endangered his reputation. In his old age he became enamoured with Alice Pierce\*. His passion had so far got the ascendant over him, that he committed many things which were unbecoming a prince: the money he had raised for the war was quickly swallowed up by this favourite: from thence followed an universal discontent throughout the kingdom. Wholly taken up with the thoughts of pleasing his mistress, the king thought of nothing but how to procure her diversions; public entertainments were made every day, the charges of which were enormous. Taxes were so much the more grievous to the nation, as their purses were entirely drained by continual wars. It was with extreme grief that the people saw the money designed to pay the public debts squandered away in trifling diversions. They were more especially offended at a tournament held in Smithfield. Alice Pierce, to whom her old lover had given the name of Lady of the Sun, appeared by his side in a triumphant chariot, and attended by great numbers of

\* In a grant to her of some jewels belonging to queen Philippa deceased, dated at Woodstock, August the 8th, 1373, she is called *Perrere*. Aët. Pub. vii. 28. This is the only record in the *Rolls* which proves Edward's affection for this

lady; a thing Mr. Barnes will by no means allow, for two reasons; because Edward was so chaste in the flower of his age, and because so noble a baron as the lord William Windsor married her afterwards.



ladies of quality, each lady leading a knight by his horse's bridle. When the king's coffers were empty, he called a parliament to demand a subsidy. The parliament complained in very strong terms of the ill-management of his ministers, particularly of the duke of Lancaster, whom the king his father had entrusted with the administration of affairs. They even petitioned the king to remove from his person the duke of Lancaster his son, Alice Pierce\*, Latimer, lord chamberlain, and some others who were most in his favour. This petition was made with so much warmth, that the king, perceiving he could not reject it without manifest danger to himself, granted what they required, lest in their turn the parliament should refuse him the money he stood in need of. It was not doubted but the prince of Wales had privately brought the parliament to take this step, in order to get the duke of Lancaster removed, who was in too great credit with the king.

The prince of Wales finding his disorder encrease, and his strength daily fail, he could not reflect without uneasiness on the leaving his young son Richard to the mercy of an ambitious uncle, who might make use of his credit to take the crown from the head of his ward, and place it on his own. And indeed Richard, by reason of his youth, was incapable of opposing the duke's designs, in case they should tend, as it was suspected, to the procuring himself to be declared the king's heir apparent, after the death of his elder brother. This obliged the prince of Wales to seek for his son the protection of the parliament, as the only means to support him in his just rights; and for this reason, it is probable, that the parliament† petitioned for the removal of the duke of Lancaster. During this session, Edward, now in the fiftieth year of his reign, caused a general pardon to be published, which caused great joy in the nation. This joy was quickly followed by an universal sorrow, occasioned by the death of the prince of Wales, the most illustrious prince England had ever produced. He was, says Rapin, possessed of all the virtues in an eminent degree; a good soldier and a great general, brave without fierceness, bold in battle, but very affable in conversation, and of a modesty never to be enough admired; ever submissive and respectful to the king his father, whom he never once disobliged. Generous, liberal, pleased with rewarding merit wherever he found it; he wanted no qualification requisite to form a perfect hero. The English commonly called him *The Black Prince*, not on account of his warlike exploits, as some have imagined, but because he wore black armour. The news of his death was received with an inconceivable grief, though it had been expected a long time. The parliament was willing, on this occasion, to express their just sorrow for the loss of so great a prince, who had gained the affection and esteem of the whole nation, by attending his corpse to Canterbury, where he had chose to be interred, and where his monument is still to be seen‡.

Shortly after, in 1377, the king recalled the duke of Lancaster and Alice Pierce. Peter de la Mare, speaker of the house of commons, who, in presenting the above-mentioned petition to the king, had spoken very freely against Alice Pierce, was confined in Nottingham-Castle at her instance. The duke of Lancaster resumed his old post, and all the other ministers, were restored to their former offices. But to prevent any dispute which might arise after his death about the succession, Edward created Richard his grandson earl of Chester, and soon after he conferred on him the title of Prince of Wales;

but not content with having made known his intention, he caused all the nobility to take their oath to him as to the heir apparent of the crown. Finally, for fear his uncles might entertain any hopes of wresting the crown from his hands, he put him beforehand, as it were, in possession of the rank he designed him for, by causing him to take place of them in all public solemnities. Thus did that wise prince manage his affairs concerning the succession, in order to prevent the dissensions which might arise after his death in his family on that account.

Whilst these things were transacting at court, John Wickliff, doctor of divinity in the university of Oxford, began to publish his belief, upon several articles of religion, wherein he differed from the commonly received opinions. Pope Gregory XI. having been informed of it, condemned some of his tenets, and commanded the archbishop of Canterbury and bishop of London to oblige him to subscribe the condemnation, and in case of refusal to summon him to Rome. It was no easy matter to execute the pope's order; Wickliff had already abundance of followers in the kingdom, and the duke of Lancaster for protector, whose authority was very little inferior to that of the king. Nevertheless, to obey the pope's command, the archbishop held a synod at St. Paul's, London, and cited Wickliff to appear: accordingly he appeared, accompanied by the duke of Lancaster and lord Percy, marshal of England, who believed their presence necessary to protect him. After he had taken his place according to his rank, and been interrogated by the bishop of London, he would have answered fitting, and by that means gave occasion for great dispute. The bishop insisted upon his standing up and being uncovered, and the duke of Lancaster asserted, that Wickliff was there only as a doctor to give his vote and opinion, and not as a party accused. The contest ran so high, that the duke of Lancaster came to threats, and made use of some opprobrious language to the bishop; whereupon the people, who were standing by, thinking the bishop was in danger, took his part with so much heat and noise, that the duke and earl marshal thought fit to withdraw, and carry off Wickliff with them. Their withdrawing appeased not the tumult; some incendiaries spread a report, that at the instance of the duke of Lancaster it had been proposed that day to the king in council, to put down the office of lord-mayor, take away the city privileges, and reduce London under the jurisdiction of the earl marshal. This was enough to exasperate the citizens, who immediately repaired to the Marshalsea, which they forcibly entered, and liberated all the prisoners. But as this did not satisfy them, they marched to the duke of Lancaster's palace in the Savoy, and missing his person, plundered the house, and dragged his arms along the streets. The duke was so highly provoked at his affront, that he could not be pacified but by the turning out of the mayor and aldermen, whom he accused of not having exerted their authority to restrain the tumult, and punish the offenders.

To return to Wickliff. The bishops being met a second time, he declared before them his sentiments concerning the sacrament of the Eucharist, explaining the eating of the body of Christ, in nearly the same manner as Berengarius had done before him. Though his opinion was contrary to the doctrine of the church in those days, the bishops not daring to proceed rigorously against him, were contented with enjoining him silence. It is said, that he even promised to obey; but in the next reign the dispute broke out afresh.

\* She was accused of coming into the courts of justice, sitting on the bench with the judges, and making them do as she pleased. Walling.

† This parliament was called *The Good Parliament*.

‡ This renowned prince died in the forty-sixth year of his age, lamented by the king his father, who shewed upon this occasion less firmness of mind than he had ever done in all the other misfortunes which had befallen him in the course of his life. Wallingham says, with him died the hopes of the Eng-

lish, during whose life they dreaded no invasion, nor feared to encounter any enemy. He never undertook an expedition without conquest, never formed a siege without carrying the place, &c. Tho. Wallingham in Vit. Edw. III. The king of France himself, though he had little reason to regret his death, ordered a solemn service to be celebrated at Paris, at which he was pleased to be present in person. Prince Edward left behind him but one legitimate son, aged ten years, and two natural sons, who made no great figure in history.



We shall conclude our account of this reign with the last public action of Edward, who in an assembly of the Knights Companions of the Garter convened at Windsor, made Richard his grandson one of that order. This was the only honour he could confer upon him, after having declared him his successor. Shortly after, this great prince, who was already indisposed, became so exceedingly ill, that his life was despaired of. Before he left the world, he had the mortification to see the world leave him. Alice, his favourite, who managed him in his sickness, suffered but very few to come near him: when she perceived his death draw near, she seized upon every thing of value within her reach, even to the taking off his ring from his finger; when she withdrew. His courtiers and chaplains shewed no less ingratitude, one single priest excepted, who being there by accident, and seeing him left alone in his last agonies, drew near the bed to comfort him. He addressed to him some exhortations, to which the dying king endeavoured to reply: but his words were not articulate enough to be understood; the only word he spoke distinctly, was Jesus Christ, just as he fetched his last breath. Thus died this illustrious prince at Shene, now Richmond, in the sixty-fifth year of his age, and the fifty-first of his reign\*.

Having related the principal actions of Edward III. in the history of his reign, it will be necessary, in order to complete the character of this famous prince, to give some account of his person, and accomplishments of body and mind. He was very tall, but well-shaped, of so noble and majestic an aspect, that his very looks commanded respect and veneration; affable and obliging to good men, but inexorable to the bad; there are few princes to be met with in history, who knew so well how to join together the duties of a sovereign, with those of an honest man and a good Christian, though in this last respect his conduct was not altogether blameless. His conversation was easy, and always accompanied with gravity and discretion. He was a friend to the poor, to the fatherless, to the widow; and to all who were unhappily fallen into any misfortune, he made it his business to procure them some comfort in their afflictions. Never had any king before him bestowed honours and rewards with more judgement, and greater regard to true merit. Though his prowess was acknowledged and admired by all the world, he was never puffed up on that account: never did he shew greater signs of humility, than in the course of his victories, which he constantly ascribed to the sole protection of Heaven. He knew how to maintain the prerogatives of the crown, without encroaching on the privileges of the people; in all the former reigns there had not been enacted so many advantageous statutes to the nation, as there were in this. Edward always acting in concert with the august body of the nation's representatives, made that harmony instrumental to the curbing the designs of the court of Rome, which never dared to assert its pretended rights so as to cause an open rupture. The glory of the prince of Wales his son reflected a new lustre on his own; and the constant union wherein he lived with his queen, was an addition to his happiness. As he was never too much elated in prosperity, so in adversity he never suffered himself to be cast down. His moderation appeared no less in his losing the provinces which had cost him so much toil and treasure, than in his victories which had gained him the possession of them. In short, he might be reckoned an accomplished prince, if his ambition had

not carried him to break in a dishonourable manner, the peace he had made with Scotland, in order to dispossess a minor king, who was his brother-in-law. Some will add likewise the rupture with France, and his pretensions to the crown of that kingdom, which they term extravagant, and wholly attribute to an ambitious motive. As to his weakness in becoming enamoured of Alice Pierce, in his old age, that blemish is much lessened by so many noble qualities which made him shine with such lustre.

The children of Edward III. by his queen Philippa of Hainault were, Edward, prince of Wales, his eldest son, who died before his father, as before-mentioned, and left but one son, who ascended the throne after his grandfather; William, his second son, died an infant; Lionel, duke of Clarence, who ended his days in Italy, left only a daughter called Philippa, by his first wife, an Irish lady; John of Ghent, duke of Lancaster, was twice married in his father's life-time, and had children, of whom we shall have occasion to speak in the following reigns: Edward's fifth son was Edmund, surnamed of Langley, the place of his birth; he was created earl of Cambridge by the king his father, and afterwards duke of York in the reign of Richard II. his nephew; William, surnamed of Windsor, died young; Thomas of Woodstock, the seventh son, was made duke of Buckingham by Richard II. and afterwards duke of Gloucester. Isabella, eldest daughter of Edward, was married to Ingelram de Coucy, earl of Soissons; Joanna was first contracted to the duke of Austria, and afterwards to Peter the Cruel, king of Castile, before he was king, and died at Bourdeaux, as she was going to Spain to consummate her marriage: Blanch lived but few years; Mary was married to John de Montfort, duke of Bretagne, and died in 1363; Margaret was wife to John Hastings, earl of Pembroke; she died without issue.

It is remarked by an elegant historian, that conquerors, though usually the bane of human kind, proved often, in feudal times, the most indulgent of sovereigns. They stand most in need of supplies from their people; and, not being able to compel them by force to submit to the necessary impositions, they were obliged to make them some compensation by equitable laws and popular concessions. This remark is, in some measure, though imperfectly, justified by the conduct of Edward III. He took no steps of moment without consulting his parliament, and obtaining their approbation, which he afterwards pleaded as a reason for the supporting his measures. The parliament, therefore, rose into greater consideration during his reign, and acquired more regular authority, than in any former time; and even the house of commons, which, during turbulent and factious periods, was naturally depressed by the greater power of the crown and barons, began to appear of some weight in the constitution. In the latter years of Edward III. the king's ministers were impeached in parliament, particularly lord Latimer, who fell a sacrifice to the authority of the commons; and they even obliged the king to banish his mistress by their remonstrances. Some attention was also paid to the election of their members; and lawyers, in particular, who were at that time men of character somewhat inferior, were totally excluded the house during several parliaments.

One of the most popular laws enacted by any prince, was the statute which passed in the twenty-fifth of his reign, and which limited the cases of high treason, be-

\* On June 21, 1377. A.D. Pub. Vol. VII. 151. He lies buried in Westminster Abbey on the south side of Edward the Confessor's chapel, with this epitaph upon his tomb, according to the jingling rhyme of those days:

*Hic decus Anglorum, Nos regum prateritorum,  
Forma futurorum, rex clemens, pax populorum,  
Tertius Edwardus, regni complens jubileum.  
Invictus pavidus, bellis pollens Machabeum  
Prospera dum vixit, regnum pietate revixit.  
Armipotens rexit: jam celo (celice Rex) sis!*

Near his monument was a tablet hanging, with the following uncouth translation:

"Of English kings here lies the beautiful flower  
Of all before passed, and a mirror to them shall sue:  
A merciful king, of peace conservator,  
The III Edward, the death of whom may rue  
All English men, for he by knighthood due,  
Was Libardo invict, and may by fate Martiall  
To worthy Macabe in vertue peregrall."



for vague and uncertain, to three principal heads; conspiring the death of the king, levying war against him, and adhering to his enemies; and the judges were prohibited, if any other cases should occur, from inflicting the penalty of treason without an application to parliament. The bounds of treason were indeed so much limited by this statute, which still remains in force without any alteration, that the lawyers were obliged to enlarge them, and to explain a conspiracy for levying war against the king to be equivalent to a conspiracy against his life; and this interpretation, seemingly forced, has, from the necessity of the case, been tacitly acquiesced in. It was also ordained, that a parliament should be held once a year or oftener, if need be; a law which, like many others, was never observed, and lost its authority by disuse.

Edward granted about twenty parliamentary confirmations of the Great Charter; and these concessions are commonly appealed to as proofs of his great indulgence to the people, and his tender regard for their liberties. But the contrary presumption is more natural. If the maxims of Edward's reign had not been in general somewhat arbitrary, and if the Great Charter had not been frequently violated, the parliament would never have applied for these frequent confirmations, which could add no force to a deed regularly observed, and which could serve for no other purpose than to prevent the contrary precedents from turning into a rule, and acquiring authority. It was, indeed, the effect of the irregular government during those ages, that a statute, which had been enacted some years, instead of acquiring, was imagined to lose, force by time, and needed to be often renewed by recent statutes of the same sense and tenure. Hence, likewise, that general clause so frequent to old acts of parliament, that the statutes enacted by the king's progenitors should be observed; a precaution which, if we do not consider the circumstances of the times, might appear absurd and ridiculous. The frequent confirmations, in general terms, of the privileges of the church proceeded from the same cause.

It is a clause in one of Edward's statutes, that no man, of what state or condition soever, shall be put out of land or tenement, nor taken nor imprisoned, nor disherited, nor put to death, without being brought in answer by due process of the law. This privilege was sufficiently secured by a clause of the Great Charter, which had received a general confirmation in the first chapter of the same statute. Why then is the clause so anxiously, and, as we may think, so superfluously repeated? Plainly, because there had been some late infringements of it, which gave umbrage to the commons.

But there is no article in which the laws are more frequently repeated during this reign, almost in the same terms, than that of purveyance, which the parliament always calls an outrageous and intolerable grievance, and the source of infinite damage to the people. The parliament tried to abolish this prerogative altogether, by prohibiting any one from taking goods without the consent of the owners, and by changing the heinous name of purveyors, as they term it, into that of buyers: but the arbitrary conduct of Edward still brought back the grievance upon them; though contrary both to the Great Charter and to many statutes. This disorder was, in a great measure, derived from the state of the public finances and of the kingdom, and could therefore the less admit of remedy. The prince frequently wanted ready money; yet his family must be subsisted: he was, therefore, obliged to employ force and violence for that purpose, and to give tallies, at what rate he pleased, to the owners of the goods which he laid hold of. The kingdom also abounded so little in commodities, and the interior communication was so imperfect, that, had the owners been strictly protected by law, they could easily have enacted any price from the king; especially in his frequent progresses when he came to distant and poor places where the court did not usually reside, and where a regular plan for supplying it could not easily be esta-

No. XXV.

blished. Not only the king, but several great lords, insisted upon this right of purveyance.

The magnificent castle of Windsor was built by Edward III. and his method of conducting the work may serve as a specimen of the condition of the people in that age. Instead of engaging workmen by contracts and wages, he assessed every county in England to send him a certain number of masons, tilers, and carpenters, as if he had been levying an army.

There was no act of arbitrary power more frequently repeated in this reign than that of imposing taxes without consent of parliament. Though that assembly granted the king greater supplies than had ever been obtained by any of his predecessors, his great undertakings, and the necessity of his affairs, obliged him to levy still more; and after his splendid success against France had added weight to his authority, these arbitrary impositions became almost annual and perpetual. Cotton's Abridgement of the Records affords numerous instances of this kind, in the first year of his reign, in the thirteenth year, in the fourteenth, in the twentieth, in the twenty-first, in the twenty-second, in the twenty-fifth, in the thirty-eighth, in the fiftieth, and in the fifty-first. The king openly avowed and maintained this power of levying taxes at pleasure. At one time he replied to the remonstrance made by the commons against it, that the impositions had been exacted from great necessity, and had been assented to by the prelates, earls, barons, and some of the commons: at another, that he would advise with his council. When the parliament desired that a law might be enacted for the punishment of such as levied these arbitrary impositions, he refused compliance. In the subsequent year, they desired that the king might renounce this pretended prerogative: but his answer was, that he would levy no taxes without necessity, for the defence of the realm, and where he reasonably might use that authority. This incident passed a few days before his death; and these were, in a manner, his last words to his people. It would seem that the famous charter, or statute of Edward I. *de tallagio non concedendo*, though never repealed, was supposed to have already lost, by age, all its authority.

These facts can only shew the practice of the times: for as to the right, the continual remonstrances of the commons may seem to prove, that it rather lay on their side: at least, these remonstrances served to prevent the arbitrary practices of the court from becoming an established part of the constitution. In so much a better condition were the privileges of the people, even during the arbitrary reign of Edward III. than during some subsequent ones, particularly those of the Tudors, where no tyranny or abuse of power ever met with any check or opposition, or so much as a remonstrance, from parliament.

The first toll we read of in England, for mending the highways, was imposed in this reign; it was that for repairing the road between St. Giles's and Temple Bar.

The parliament attempted the impracticable scheme of reducing the price of labour after the pestilence, and also that of poultry. A reaper, in the first week of August, was not allowed above two-pence a day, or near six-pence, says Hume, of our present money; in the second week, a third more. A master carpenter was limited throughout the year to three-pence a day, a common carpenter to two-pence, money of that age. It is remarkable, that in the same reign the pay of a common soldier, an archer, was six-pence a day, which, by the change both in denomination and value, would be equivalent to near five shillings of our present money. Soldiers were then enlisted only for a very short time; they lived idle all the rest of the year, and commonly all the rest of their lives: one successful campaign, by pay and plunder, and the ransom of prisoners, was supposed to be a small fortune to a man; which was a great allure-ment to enter into the service.

In 1364 the commons petitioned, that in considera-



tion of the preceding pestilence, such person as possessed manors holden of the king in chief, and had let different leases without obtaining licences, might continue to exercise the same power, till the country were become more populous. The commons were sensible, that this security of possession was a good means for rendering the kingdom prosperous and flourishing; yet durst not apply all at once for a greater relaxation of their chains.

There is not a reign among those of the ancient English monarchs, says Hume, chap. xvi. which deserves more to be studied, than that of Edward III. nor one where the domestic transactions will better discover the true genius of that kind of mixed government which was then established in England. The struggles with regard to the validity and authority of the Great Charter were now over: the king was acknowledged to be under some limitations. Edward himself was a prince of great capacity, not governed by favourites, not led astray by any unruly passion, sensible that nothing could be more essential to his interests than to keep on good terms with his people: yet, on the whole, it appears that the government at best was only a barbarous monarchy, not regulated by any fixed maxims, or bounded by any certain undisputed rights, which in practice were regularly observed. The king conducted himself by one set of principles; the barons, by another; the commons, by a third; the clergy by a fourth. All these systems of government were opposite and incompatible: each of them prevailed in its turn, and accident very favourable to it: a great prince rendered the monarchical power predominant; the weakness of a king gave reins to the aristocracy: a superstitious age saw the clergy triumphant: the people, for whom chiefly government was instituted, and who chiefly deserve consideration, were the weakest of the whole. But the commons, little obnoxious to any other order, though they sunk under the violence of tempests, silently reared their head in more peaceable times; and while the storm was brewing, were courted by all sides, and thus received still some accession to their privileges, or at worst some confirmation of them.

#### C H A P. VIII.

##### RICHARD II. SURNAMED OF BOURDEAUX.

**A**FTER the death of Edward III. the people of England greatly feared that the execution of his will would meet with many obstacles from his sons, particularly the duke of Lancaster, who, it was imagined, would aspire to the throne to the prejudice of Richard, the prince of Wales's son, and grandson to Edward III. who was now but eleven years of age: but herein they were happily mistaken; his uncles being so far from wishing to deprive him of his right, that they were the first who stepped forward to do him homage. The duke of Lancaster in particular, who was styled in England king of Castile, satisfied his ambition with governing the states during Richard's minority, and the princes his brothers were no less inclined than he to perform their father's last will; so that Richard was crowned without any opposition, on the 16th of July, 1377, twenty-four days after the death of Edward\*.

Immediately after the solemnity, the young king created Thomas of Woodstock, his uncle, earl of Buckingham, and Guisard d'Angoulême, who had been his governor, earl of Huntingdon. At the same time he conferred the title of earl of Nottingham upon Thomas

Mowbray, and that of earl of Northumberland, upon Henry Piercy, who was also earl-marshal†.

Edward's truce with France had been expired ever since April the 1st, and the English had not made any preparations to renew the war. This neglect we cannot account for; but certain it is, that the case was very different in France, where Charles V. was diligently preparing to take advantage of the indolence of the English. As soon as that monarch had been informed that Edward was no longer able to act, he gave orders to levy troops on all sides; so that upon notice of his death, he was ready to carry five armies into the field. He sent the first into Guienne, to finish the driving the English out of that province; the second into Auvergne, the third into Bretagne, the fourth into Artois, and the fifth he kept with him, that he might send succours to the rest in case of need. Besides these armies, he had likewise fitted out a strong fleet, which had orders to infest the coasts of England. As the English were wholly unprepared, the French made descents in several places, burnt Hastings, Portsmouth, Dartmouth, Plymouth, and defeated some troops which the prior of Lewes had drawn together, in order to endeavour to put a stop to their ravages. They were repulsed at Winchester; but they landed on the Isle of Wight, where they pillaged the inhabitants, and after having in vain attempted to take Carisbrook-Castle, which was bravely defended by Sir Hugh Tyrrel, they went off with their booty.

As the king was not of fit age to govern the state himself, the duke of Lancaster, and the earl of Cambridge, his uncles, took the administration of affairs till the parliament should meet, which was not to be before October. But they durst not make use, but with great caution, of the authority they had assumed to themselves, through fear of raising enemies who might do them a prejudice in the approaching parliament. The duke of Lancaster was not well beloved: he was accused of having abused his power towards the latter end of the late reign, and of having behaved in a haughty manner towards the people. He had drawn upon himself the ill-will of the Londoners, by making them bear the punishment of the tumult raised on Wickliff's account. Though since the death of the king his father, he had been reconciled to the city, that proceeding was looked upon only as the effect of his policy, and it was feared that he would assume his former haughtiness, if he should be entrusted with the administration. As he could not be unacquainted with the people's opinion concerning him, he behaved very circumspectly, apprehensive as he was of seeing himself excluded from the regency to which he aspired. But all his precautions were not able to prevent the murmurs of the people already prejudiced against him. They openly complained of the little care the two princes took to guard the coasts, not considering they had neither fleet, nor troops, nor money, nor any lawful authority to raise extraordinary forces. Another accident helped very much to incense the people against them; the Scots having taken by surprize the castle of Roxborough, the loss was ascribed to the negligence of those who governed the realm.

The parliament's first care, upon their meeting, was to settle the administration of affairs during the king's minority. To that purpose they appointed several governors to the king, to take care of his education, and ordered that his three uncles should be regents of the kingdom: but they joined with them some bishops and lay lords. The regency being settled, the parliament granted the king a subsidy for the maintenance of the

\* At this coronation it is, that we meet with the first mention in history of a champion who appeared completely armed in Westminster-Hall, where the king dined, and having thrown his gauntlet on the ground, challenged any person who should dispute the king's title to the crown. The original of this custom, which is still kept up, is unknown; but it is certain that it is of an older date than the coronation of Richard II, since Sir John Dimock, who performed then the office of

champion, was admitted to it by virtue of a right annexed to a manor which he held in Lincolnshire. The manor of Scrivelby, in right of Margaret his wife, daughter of Sir John Marmion.

† He performed the office of earl-marshal, at the coronation by writ from the king, saving to every one their right, because that office was claimed by Margaret, heiress of Thomas Brotherton, late earl of Norfolk, and marshal of England.  
war:





RICHARD II



HENRY IV



war: but it was clogged with this condition, that the money should be lodged in the hands of Philpot and Walworth, two very noted aldermen of London, who were ordered to take care that it should be expended only in repulsing the French and Castilians in league against England. It was moreover declared, that the subsidy granted the king should not be made a precedent, but that, for the future, what should be necessary for maintaining his household, and defraying the charges of the war, should be supplied out of his ordinary revenues. After this the parliament admitted an action entered against Alice Pierce, the late king's favourite, who, being convicted of several misdemeanors, received a sentence, whereby all her estate was confiscated to the king's use, and she herself condemned to banishment; but this woman, well acquainted with the nature of intrigue, found means to persuade the king to recall her and restore her to her estate. Before the parliament broke up, Richard confirmed king John's two charters, and gave his assent to several acts relating to the contest which England had with the court of Rome.

As the duke of Lancaster had a claim to the kingdom of Castile, he thought it might be some advantage to him to gain to his interest the young earl of Denia, a Castilian lord, then at London. The father of this young earl having been taken at the battle of Nejara by two English knights, was brought into England, where he had remained several years in the custody of those who had made him prisoner. At length, by leaving his son in hostage, he obtained leave to return home, where he died before he had paid his ransom. The duke of Lancaster, hoping to make friends in Castile by means of the young earl, prevailed upon the king to order the two knights to set him at liberty, in 1378. But as there was no mention of paying the ransom, they concealed their prisoner, after having made him promise he would not discover himself. Their refusal having exasperated the duke of Lancaster, he sent the two knights to the Tower; from whence they escaped, and took refuge in Westminster church. This sanctuary was not capable of saving them; the duke of Lancaster having sent some soldiers into the church to bring them away by force, one of the knights\* was retaken, but the other† standing upon his defence, was slain with a monk who too warmly espoused his cause. The archbishop of Canterbury excommunicated all that had a hand in the breach of the church's privileges: but the authority of the duke prevented the affair from being carried any further. Some time after, the king having taken upon him to pay the Spanish earl's ransom, to the people's great admiration, it appeared that the young lord, not to be forced to break his promise, had all along attended in a footman's habit the person to whom he had given his word.

The duke of Lancaster neglected to get ready the vessels necessary for the protection of the coasts, so that many people became grievously offended, and highly complained. He pleaded in excuse, that he could not form any project without the consent of those who had the management of the money. In short, he conferred with the other regents, and the two aldermen were ordered to deliver into his hands the sums they had in charge. He promised, for his part, that the coasts should be better guarded, and the merchant-men protected; but it was a good while before he sent a fleet to sea.

Whilst the fleet was getting ready, the earls of Arundel and Salisbury had orders to repair to Normandy, and take possession of Cherbourg, which the king of Navarre had promised to deliver up to the English. They were hardly put to sea before they met some Spanish men of war, who fiercely attacked them, and did them some damage. Notwithstanding this, they put a garrison into Cherbourg, which opened to the English a passage into Normandy, as Calais did into Picardy.

Before the fleet designed to guard the coasts was quite ready, one Metier, a Scotch pirate, observing the neglect of the English, entered the port of Scarborough, and carried off the merchantmen that lay there. This success inspired him with greater hopes, and he cruised a long time in those parts, taking considerable prizes. The damage the merchants sustained on this occasion caused fresh complaints against the duke of Lancaster, because his promise was but ill performed. Philpot, whom we mentioned before, full of indignation to see the English merchants exposed to the ravages of this pirate, undertook to do, at his own expence, what the duke neglected to do with the money belonging to the state. He fitted out some ships, on board of which he put a thousand soldiers, and having found the Scotch pirate, he defeated him, took him prisoner, and returned in triumph to London. This action, which gained him the applauses of the people, offended the regent, who thought it of dangerous consequence to suffer a private person to undertake a thing of that nature, without the government's leave; but he vindicated what he had done by such good reasons, and with so much modesty, that he was not only acquitted but highly applauded. About this time a schism happened in the church, owing to the election of two popes; the one an Italian, the other a Frenchman. As the French took the part of their countryman, the English espoused the cause of the Italian. It was the occasion of a crusade, as we shall see hereafter.

Whilst the two pontiffs were darting their spiritual thunderbolts against one another, the duke of Lancaster equipped his fleet, which had been so long retarded. His design was not only to guard the coasts of England, but his intent was to restore the duke of Bretagne, whom the king of France had driven out of his dominions by the connivance of the lords of Bretagne. This unhappy prince, seeing himself abandoned by the majority of his subjects, came into England towards the latter end of Edward III's reign, with design to demand his assistance: but the death of his father-in-law having changed his expectations, retired to the Earl of Flanders, his relation and ally. During his stay in that country, a French envoy, who was going to Scotland, being stopped on the way, by the earl's order, Charles pretended that it was done by the instigation of the duke of Bretagne, and insisted upon the earl's dismissing him from his court. The earl, not believing that his being vassal obliged him to that condescension, furnished the king, by his refusal, with the pretence he apparently wanted to take revenge another way. He sent into Bretagne an army to complete the ruin of that unfortunate prince, who was no wise in a condition to resist him. England was too much concerned to stand by him not to make some effort in his defence. The duke of Lancaster, seeing the fleet he had just equipped fit to put to sea, went on board himself, and set sail for Bretagne, where he laid siege to St. Malo. But he met with so many obstacles from Du Guesclin, who commanded the French army in those parts, that he was obliged to desist from his enterprize.

Early in the year 1379, the duke of Bretagne promised to deliver up Brest to the English, provided they would lend him an aid proportioned to his wants. This advantageous offer operated powerfully upon Richard's council, who resolved to lay hold of so favourable a conjuncture, and accepted the duke of Bretagne's offer, making a treaty with him upon the terms he himself had proposed. The parliament, which was consulted in this affair, being made acquainted with the designs of the council, granted a very considerable subsidy for carrying on the war. Besides the party which the duke of Bretagne had still in his own country, several of those that had declared against him began to wish for his restoration, being entirely dissatisfied at the insolence of

\* John Shukel.

† Robert Hawley; he was buried under a brass plated stone

In Westminster Abbey. Speed calls them valiant 'squires', and says they belonged to Sir John Chandos, p. 593.



the French. As the strong holds were in the hands of the friends of France, the duke's faithful subjects could undertake nothing of importance, unless assisted by the English, who were getting ready the promised supplies with all possible speed.

In the mean time the Scots, by the treachery of the deputy governor, obtained possession of the castle of Berwick. But the earl of Northumberland, who was governor of the northern counties, drew together a body of troops with such expedition, that he was at Berwick before the Scots had notice of his design. Immediately after he invested the castle, and seizing a bridge, the only pass by which they could throw succours into the place, he pushed the siege so vigorously, that in nine days he took it by storm. Douglas, who was advancing, in order to raise the siege, finding he was disappointed, hastily retired into his own country, to avoid a battle. He was, however, pursued by the earl of Northumberland, who, to retard the enemy's retreat, detached a body of six thousand men, under the conduct of Musgrave, with orders to keep him at bay without going too far: but, whilst he himself was bringing up the rest of his army, he had intelligence that his detachment had fallen into an ambuscade, and was entirely defeated. Henry Percy, his son, signalized himself greatly, both at the siege of Berwick, and in the late action, and gave extraordinary proofs of the great courage, which gained him the surname of Hotspur. About this time the plague began to rage in the northern counties, which obliged the two nations the more readily to continue the truce without making a new treaty.

The preparations for the assistance of the duke of Bretagne were notwithstanding carried on with vigour; but as the expence rose higher than was imagined, the parliament granted the king another subsidy, the burden of which was entirely borne by the nobility and clergy\*.

The king of France being greatly enraged at the duke of Bretagne, for having called the English again into his country, made that a pretence to summon him before the court of peers, where the duke did not appear. But the widow of Charles de Blois sent agents to the king, to represent to him that he had no manner of right to confiscate Bretagne, which was not originally a fief of the crown of France. She maintained, that if any of the former dukes had thought fit to submit to do service to the kings of France, it was not in their power to bring the dukedom into subjection without the consent of their people. But no regard was had to these remonstrances, and the court decreed the confiscation of Bretagne to the king's use. This procedure having convinced the Bretons that Charles's view was to get possession of the duchy, they were afraid of falling under the dominion of France, and of beholding their country a province of that kingdom. This apprehension occasioned an association of the great men, which ended in the recalling of their lawful sovereign. Upon the receipt of this welcome news, the duke hastened to return to his dominions, expecting the succours, which were getting ready for him in England, so follow. He was received by his subjects with great joy; but, as the principal places were in the hands of his enemies, he earnestly intreated the court of England to send him some troops to support him till a more powerful supply should be ready. Upon these instances,

the council dispatched some ships with troops on board. These were, for the most part, lost in a storm, on the 6th of December.

The French and English all this while continued the war in several places, but without coming to a decisive battle. The governor of Cherbourg gained some advantage over the French, who quickly made up their loss by the capture of several merchant-men.

The parliament† which met in October 1380, granted the king a new aid to continue the war with France and Scotland, as well as to assist the duke of Bretagne.

After the parliament had taken care of the ecclesiastical affairs, all the king's governors were removed, as well to retrench the great expence, as because their number was prejudicial to his education. Instead of these lords Thomas de Beauchamp, earl of Warwick, was pitched upon to have the sole care of the education of the king. Ever since Richard's accession to the throne, his revenues had been so ill managed that the house of commons appointed fourteen commissioners to examine to what uses the revenues of the crown had been put, and to lay their report before the next parliament, which was not to meet for twelve months.

Shortly after the duke of Buckingham, the king's uncle, had the command of the succours designed for the duke of Bretagne. He landed at Calais, in order to march to Bretagne. Perhaps he would have found some difficulty to perform his enterprize, with an army consisting only of eight thousand men, had not the duke of Burgundy, who kept close to him all the way with much more numerous forces, received express orders from the king of France his brother not to attack the English. Charles wisely thought that an accommodation with the duke of Bretagne would be a more speedy and better method to put an end to the disputes, than for either party to persist in prosecuting the war, by which the public money would be expended, and torrents of blood would be spilled. For this reason the duke of Buckingham met with little opposition, so that he committed great ravages in his march. Whilst he was on his way, the king of France died, leaving for successor Charles VI. his eldest son, a youth about twelve years of age. Soon after the duke made a treaty with the new king, who granted whatever he desired.

The posture of affairs being changed by this accommodation, the English were but coldly received in Bretagne. The duke did not openly declare his intentions at first, because the English were in possession of Breiz. But it was easy to perceive he had no design to make use of them, since they were refused every where entrance into the towns. At length the duke of Bretagne acquainted the duke of Buckingham, that he had no further occasion for them, and that he would provide ships for him and his company to return to England.

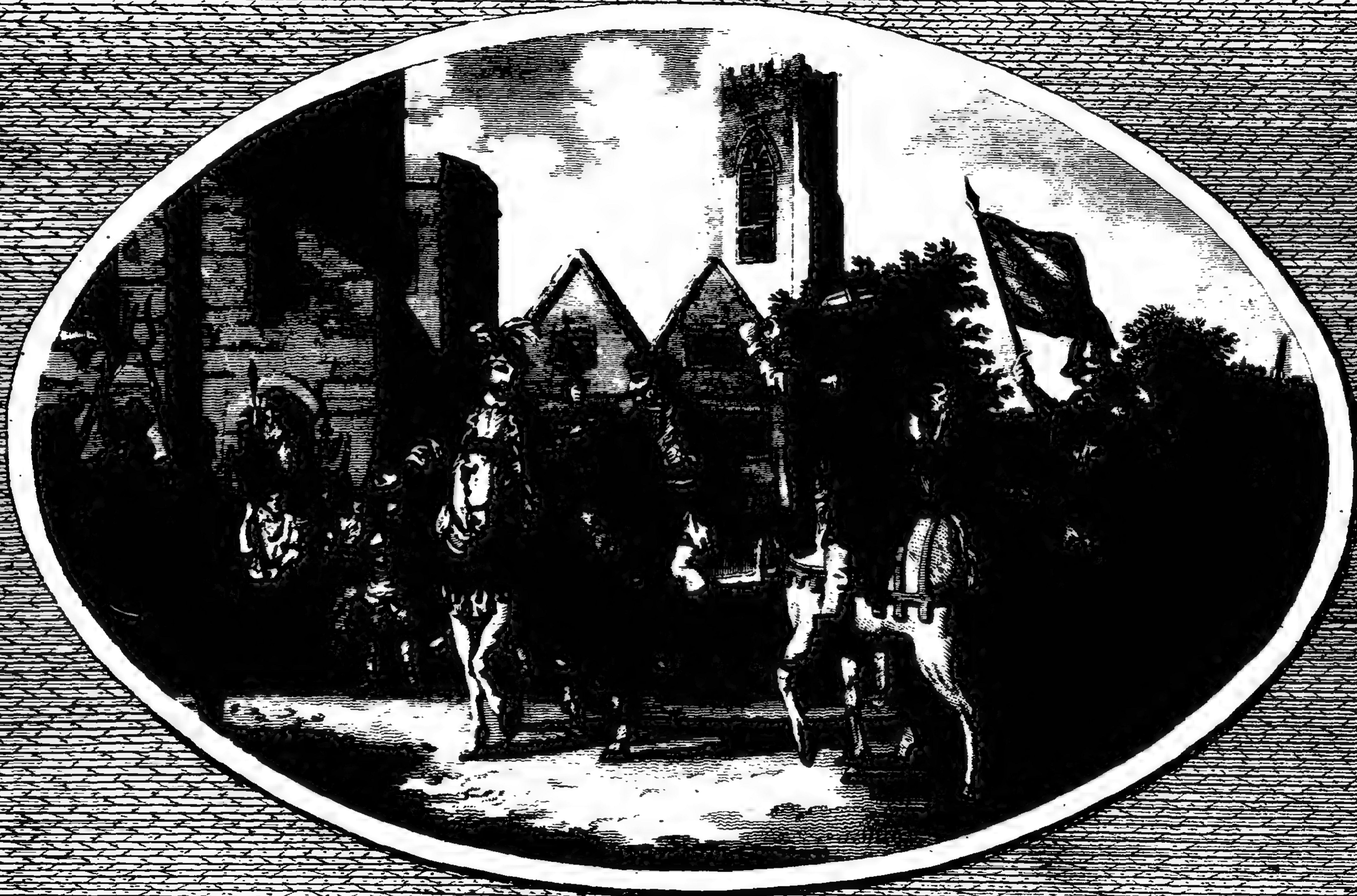
Though it had been agreed that the parliament should not meet under a twelve month, some affairs, which happened unexpectedly, obliged the king to convene it in November, to demand a fresh aid of money, that he might be enabled to put in execution the resolution to assist the Portuguese against the Castilians. This aid was granted; but as the nobility and clergy had supplied the former subsidy, this was levied by way of poll-tax, from which nobody was exempted, not even monks and nuns. All persons above fifteen years old were to pay three groats or twelve pence. A clause in the act

\* Archbishops, bishops, dukes, earls, and mitred abbots, were taxed at ten marks each besides forty-pence which the abbots were to pay for every one of their respective monks. The rest of the clergy and nobility, and all that had places, having been rated according to their incomes, the subsidy brought in very considerable quantities of money.

† This parliament, says Rapin, is famous for a statute made against the blood-suckers who had long devoured the land; I mean foreign ecclesiastics, who by this statute were rendered incapable of holding any benefice in England. But as there was likelihood that this was not sufficient to curb the court of Rome, who did not think herself bound by acts of

parliament, another statute was made, the intent of which was to render the pope's favours, in this respect, fruitless to foreigners. By this act all the king's subjects were forbidden, on severe penalties, to farm benefices conferred on aliens by the court of Rome. This was properly attaining the same end another way; for the pope, usually giving English benefices to his domestics, to Italian bishops and cardinals, these people could neither reside on their benefices, nor find any in the kingdom to farm them. At the same time the parliament petitioned the king to expell all foreign monks, for fear they should instill into the English, notions repugnant to the good of the state. Vide Rapin, book ix.







ordered the rich to assist their poor neighbours in the payment of the tax.

The reason of the disagreement between the crowns of Portugal and Castile, seems to have been the ambition of the king of Portugal, who made war upon John, king of Castile, with a view to enlarge his own dominions. As the duke of Lancaster was called king of Castile by the English, on account of his marriage with Constantia, eldest daughter of Peter the Cruel, and as his credit was exceedingly great at the court of England, Ferdinand thought an alliance with this country would turn the scale in his favour. The duke of Lancaster on the other hand, imagined that the alliance would be the means of his getting possession of the crown of Castile himself; and therefore he used his utmost endeavour to promote it. The parliament having approved of the measure, and granted the supplies necessary for the undertaking, the duke of Cambridge, Lancaster's brother, was appointed to the command. In the mean time, as the truce with Scotland was about to expire, the duke of Lancaster persuaded the council to resolve to propose to the king of Scotland the prolongation of it, otherwise the sending of the troops to Portugal must be deferred. That this negotiation might not fail of success, he undertook it himself, and repaired, without delay, to the frontiers of the two kingdoms, where the Scotch ambassadors were likewise to attend: but whilst he was treating with them, there happened in England disturbances which were of much more consequence than either the truce with Scotland, or the war with Castile.

One John Ball, a Franciscan monk, and seditious preacher, who affected low popularity, went about the country, and inculcated on his audience the principles of the first origin of mankind from one common stock, their equal right to liberty and to all the goods of nature, the tyranny of artificial distinctions, and the abuses which had arisen from the degradation of the more considerable part of the species, and the aggrandizement of a few insolent rulers. These doctrines, so agreeable to the populace, and so conformable to the ideas of primitive equality which are engraven in the hearts of all men, were greedily received by the multitude; and scattered the sparks of that sedition, which the present tax raised into a conflagration\*.

The imposition of three groats a head had been farmed out to tax-gatherers in each county, who levied the money on the people with extreme rigour; and the clause, of making the rich ease their poorer neighbours of some share of the burden, being so vague and indeterminate, had, doubtless, occasioned many partialities, and made the people more sensible of the unequal lot which fortune had assigned them in the distribution of her favours. The first disturbance was raised by a blacksmith in a village of Essex. The tax-gatherers came to this man's shop while he was at work, and demanded payment for his daughter, whom he asserted to be below the age assigned by the statute. One of these fellows offered to produce a very indecent proof to the contrary, and at the same time laid hold of the maid, and behaved in a very unbecoming manner; the father, no way able to bear this egregious affront, without hesitation knocked out the ruffian's brains with his hammer. The by-standers applauded the action, and exclaimed, that it was full time for the people to take vengeance on their tyrants, and to vindicate their native liberty. They immediately flew to arms: the whole neighbourhood joined in the sedition: the flame spread in an instant over the county: it soon propagated itself into those of Kent, Hertford, Surrey, Sussex, Suffolk, Norfolk, Cambridge, and Lincoln. Before the government had the least warning of the danger, the disorder had grown beyond control or opposition: the populace had shaken off all regard to their former mas-

ters; and being headed by the most audacious and criminal of their associates, who assumed the feigned names of Wat Tyler, Jack Straw, Hob Carter, and Tom Miller, by which they were fond of denoting their mean origin, they committed every where the most outrageous violence on such of the gentry or nobility as had the misfortune to fall into their hands.

The mutinous populace, amounting to a hundred thousand men, assembled on Blackheath, under their leaders Tyler and Straw; and as the princess of Wales, the king's mother, returning from a pilgrimage to Canterbury, passed through the midst of them, they insulted her attendants; and some of the most insolent among them, to shew their purpose of levelling all mankind, forced kisses from her; but they allowed her to continue her journey, without attempting any further injury. They sent a message to the king, who had taken shelter in the Tower; and they desired a conference with him. Richard sailed down the river in a barge for that purpose; but on his approaching the shore, he saw such symptoms of tumult and insolence, that he put back, and returned to that fortress. The seditious peasants, mean while, favoured by the populace of London, had broken into the city; had burned the duke of Lancaster's palace of the Savoy; cut off the heads of all the gentlemen whom they laid hold of; expressed a particular animosity against the lawyers and attorneys; and pillaged the warehouses of the rich merchants. A great body of them quartered themselves at Mile-End; and the king, finding no defence in the Tower, which was weakly garrisoned, and ill supplied with provisions, was obliged to go out to them, and ask their demands. They required a general pardon, the abolition of slavery, freedom of commerce in market-towns without toll or impost, and a fixed rent on lands, instead of the services due by villanage. These requests, which, though extremely reasonable in themselves, the nation was not sufficiently prepared to receive, and which it was dangerous to have extorted by violence, were, however, complied with; charters to that purpose were granted them: and this body immediately dispersed, and returned to their several homes.

During this transaction, another body of the rebels had broken into the Tower; had murdered Simon Sudbury, the primate and chancellor, with Sir Robert Hales, the treasurer, and some other persons of distinction; and continued their ravages in the city. The king, passing along Smithfield, very slenderly guarded, met with Wat Tyler, at the head of these rioters, and entered into a conference with him. Tyler, having ordered his companions to retire till he should give them a signal, after which they were to murder all the company except the king himself, whom they were to detain prisoner, feared not to come into the midst of the royal retinue. He there behaved himself in such a manner, that Walworth, the mayor of London, not able to bear his insolence, drew his sword, and struck him so violent a blow as brought him to the ground, where he was instantly dispatched by others of the king's attendants. The mutineers, seeing their leader fall, prepared themselves for revenge; and this whole company, with the king himself, had undoubtedly perished on the spot, had it not been for an extraordinary presence of mind which Richard discovered on the occasion. He ordered his company to stop; he advanced alone towards the enraged multitude; and accosting them with an affable and intrepid countenance, he asked them, "What is the meaning of this disorder, my good people? Are ye angry that ye have lost your leader? I am your king: I will be your leader." The populace, over-awed by his presence, implicitly followed him. He led them into the fields, to prevent any disorder which might have arisen by their continuing in the city: being there joined

\* There were two verses at that time in the mouths of almost all the common people, which in spite of prejudice, one cannot but regard with some degree of approbation:  
No. XXV.

When Adam delv'd and Eve span,  
Who was then the gentleman?



by Sir Robert Knolles, and a body of well-armed veteran soldiers, who had been secretly drawn together, he strictly prohibited that officer from falling on the rioters, and committing an undistinguished slaughter upon them; and he peaceably dismissed them with the same charters which had been granted to their fellows.

About the same time, one Litster, an ale-house keeper at Norwich, and John Wraw, a seditious priest, headed another body of rebels in the county of Norfolk. Litster put to death all the judges and lawyers that fell into his hands. He obliged the lords and gentlemen to serve him on the knee, and if any refused to submit to that indignity, he immediately ordered his head to be struck off. In this manner he treated the earl of Suffolk, who refused to approve of their rebellion. As it was impossible for the king's council to take measures speedy enough to remedy these disorders, it became necessary that private persons should use their own endeavours, without waiting for orders from court, to free themselves from the impending danger. Henry Spencer, bishop of Norwich, a prelate of great courage, though educated in a profession opposite to war, thought it his duty to do something more than barely to offer up prayers on so pressing an occasion, which equally threatened clergy and laity. He put himself at the head of some royal subjects, and attacking the rebels, made a terrible slaughter of them. The two leaders Wraw and Litster being taken in the combat, the first was beheaded upon the spot, and the other sent to London, to receive the just reward of his enormous crimes.

The troubles being appeased sooner and more happily than there was reason to expect, the king, by advice of his council, resolved to chastise the guilty. To that end, says Rapin, he issued orders to the lords to raise in every county troops, consisting of such whose loyalty was well known, and to lead them to London. In a short time, an army of forty thousand men was drawn together, which being divided into two bodies, one marched into the county of Kent. At the head of the other the king went himself to punish the people of Essex, who began to stir again, upon the revoking the charter and general pardon, with which they had been decoyed. As they had not had time to take just measures, and found themselves prevented by the king's diligence, they were easily defeated. A vast number was slain, and many others reserved for public examples. Jack Straw, companion of Wat Tyler, and head of the Essex rebels, was of the number of these last. He confessed, that if they had succeeded in their projects, as they had good reason to expect, their design was to murder the king, root out the nobility and clergy, excepting the Mendicant friars, to part England into several kingdoms, to make Wat Tyler king of Kent, to abolish all the ancient laws, and make new ones. But this, like other wild projects, terminated in the ruin of the authors. It is affirmed, that besides those who fell with their arms in their hands, above fifteen hundred died by the hands of the common hangman. Judge Tresilian was commissioned to repair to the revolted counties, in order to try the guilty; as their number was very great, he had an opportunity of exercising his cruel and barbarous temper in punishing the unfortunate wretches, to whom indeed he shewed no favour. The cruelties he exercised during his commission may well be compared to those which were seen to be practised in after time by judge Jeffries, who was a person of the same cruel and vindictive temper, in the reign of James II.

Some historians endeavour to persuade us, that this rebellion was occasioned by the Wickliffites, (who were commonly called Lollards,) but without any foundation. It is certain that religion had no hand in these commotions, since the duke of Lancaster, the avowed protector of Wickliff, was the principal object of the fury of the rebels. Besides, Wickliff, who then resided on his living of Lutterworth, in Leicestershire, was never charged with having any concern in the matter. All that can be alledged to give the least colour to this ac-

cusation is, that John Ball, a Franciscan monk, one of the ring-leaders of the rebels, was thrown into prison little before by order of the archbishop of Canterbury for having preached up the new doctrine; but it cannot be inferred from thence, that Wickliff's followers stirred up the insurrection\*.

The duke of Lancaster was on the borders of Scotland when the rebellion broke out in Kent. Upon the first news of the insurrection, he concluded with the Scots a truce for three years, as he was apprehensive of exposing himself to the rage of his enemies, if he should return to court, and also of giving the northern counties a pretence to follow the example of the southern ones, if he staid in the kingdom, he chose to retire into Scotland, where he remained till the troubles were over; the king of Scotland offered him twenty thousand men, to quell the insurgents; but he modestly refused them, lest by introducing foreigners, he should cause a general revolt in the kingdom. Notwithstanding these precautions, he could not prevent his enemies from spreading a report that he had designed to march to London, at the head of a Scotch army, and seize the crown: but he easily cleared himself from this charge, which, in reality, had no foundation.

Whilst by this unexpected insurrection Richard saw himself in danger of losing his crown and life, his ambassadors were negotiating his marriage in Germany. Ever since the year 1379 he had been desirous of espousing the daughter of Barnabas, duke of Milan. But not succeeding there, he had demanded in 1380, a princess of Bavaria, daughter of the late emperor Lewis. This negotiation had no better success than the former. At last on May 2, 1381, his marriage with Ann, of Luxemburgh, sister of the emperor Wenceslaus, was concluded at Nuremberg. This princess arriving in England a little after the troubles were appeased, was received with great pomp.

In February, 1382, died Edmund, earl of March, grandson of Roger Mortimer, who was beheaded in the beginning of the reign of Edward III. Edmund was in Ireland at the time of his death, of which country he was governor. He had married Philippa, only daughter of Lionel, duke of Clarence, second son of Edward III. and had by her a son called Roger, who succeeded him in his honour of earl of March.

The parliament, which had met towards the latter end of the year 1381, and been prorogued on account of the queen's arrival, met again in May the next year. Some historians affirm, that in this parliament an act was passed empowering the bishops to imprison heretics, without the king's leave, which before was requisite. But others, upon better grounds, maintain, that the commons refused to pass the bill which was brought in upon that account, and that it was of the king alone that the bishops obtained their power. We rather incline to the latter opinion, because the members of the house of commons complained to the king afterwards that this grant was a breach of the privileges of the people.

Richard, being now in his seventeenth year, says Rapin, began more plainly to discover his inclinations, which hitherto had been restrained by the authority of his governors. He had a high conceit of his own merit, and thought himself as well qualified to govern the state as Edward III. was at his age. But there was a wide difference between these two princes; Edward, when very young, with a deep penetration, had none but noble and generous inclinations, which tended to his own glory and his people's happiness. Richard, on the contrary, minded only trifles, and thought of nothing but his pleasures. He loved pomp and magnificence more than any of his predecessors, and by that means he ran into superfluous expences, which swallowed up his revenues to no purpose. Flatterers had also a great sway over him. He expressed as great an affection for those that soothed his passions as he did an aversion for such as, by their good advice, tried to induce him to lead a life worthy a great prince, and the governor of a great people. Having no disposition for war, it was remarked, that

\* See our account of Wickliff in the Appendix to this Book.



that in council he was always inclined to make use of the way of negociation rather than to vigorous resolutions. As soon as he was out of his childhood, he was observed to chuse favourites whose inclinations suited with his own, or at least who feigned to approve of whatever he did. Among these were Alexander Nevil, archbishop of York; Robert de Vere, earl of Oxford, a young man of life and spirit, whose youthful sallies were very pleasing to his master; Michael de la Pole, a merchant's son of London, and judge Tresilian, who never wanted reasons to countenance what was agreeable to the king. These favourites, who omitted no opportunity of flattering him, were amply rewarded for the least petty services, whilst those who managed the public affairs, were very little regarded. This proceeding displeased the people, when an accident which happened towards the end of this year, entirely alienated their affection for their sovereign. One of the courtiers before mentioned, having obtained of the king a considerable grant, Richard le Scrope, the high chancellor, refused to annex the great seal to the patent\*. Richard exasperated at his refusal, sent a messenger to demand the great seal; but he would not give it up, alledging he held it not of the king, but of the parliament. This resolution still more incensing the young prince, he went to the chancellor himself to require his obedience. The chancellor then not being able to deny it any longer, delivered him the seal, declaring he would serve him no more in any public post, but content himself with keeping in all other things the allegiance due from a subject to his sovereign. Richard kept the great seal in his hands some days, and for fear another chancellor should obstruct in the same manner his inconsiderable grants, he put the seal himself to several patents, and then delivered it to Robert Braybrooke, bishop of London, who, in all appearance, was more devoted to the king's will than Scrope. This action, which the favourites cried up mightily by extolling the king's steadiness, was displeasing to all the rest of the people. Thenceforward the king began to be looked upon as a prince capable of running into great exorbitancies, unless timely care was taken to curb his unruly passions. With this view the house of commons, at its next meeting, resolved to remedy this inconvenience, which arose from the too great authority the king began to assume. The power he had given the bishops to imprison heretics was considered as destructive to liberty, since by that the clergy, were in some measure, the absolute masters of the honour and fortune of private persons. The complaints which were exhibited from all parts obliged the commons to present a petition to the king, praying him to revoke a grant to which they had not given their consent, as above observed. Richard, who stood in need of money, was obliged to comply: but some pretend that, by the artifices of the clergy, this revocation was crazed out of the parliament rolls, where it is not now to be found.

We have before mentioned the election of two popes, viz. Urban and Clement, which caused a division in the church. This division continued to the great scandal of the Christians, who were in doubt which of the two popes was to be regarded as the true vicar of Jesus Christ. Urban, whose party was by far the strongest, perceiving that spiritual weapons were of no great effect, thought it would be better to make use of temporal arms. To that end, he published a crusade against Clement and his adherents, of which Henry Spencer, bishop of Norwich, was declared general. The pope by his bull granted the same indulgencies† to all that were willing to engage in this undertaking

as to those who bore arms against the infidels. The nobles, gentry, people, and clergy of England, engaged in the crusade with the same ardour as if they had been to wage war with the enemy of the Christian name. Whilst they waited for the parliament's approbation, of which no one made the least doubt, every body diligently prepared to obtain the promised indulgencies, either by serving in person in the war, or by contributing their mite towards carrying it on.

Whilst the croises were getting ready, the earl of Cambridge returned from Portugal, whither he had been sent with forces to assist the Portuguese, and where he had met with a similar treatment that the earl of Buckingham his brother had done in Bretagne. That is, the king of Portugal made use of the English succours, to make an advantageous peace with the king of Castile, to whom he even gave Beatrice his only daughter, notwithstanding she had been promised before to the earl of Cambridge's eldest son. So that the English prince came back extremely dissatisfied, having lost the prospect of procuring his son the crown of Portugal, and of being instrumental in placing the duke of Lancaster his brother on the throne of Castile.

The parliament, which met in the beginning of 1383, not only approved of the crusade published by Urban, but granted also a considerable subsidy upon that account. When every thing was ready, the bishop of Norwich embarked the croises, consisting of fifty thousand foot and two thousand horse. Upon his arrival at Calais he held a council of war, when most were of opinion, that they should enter France, since the words of the bull imported that the crusade was designed against Clement and his adherents. But by the bishop's influence, it was resolved the war should be carried into Flanders, because that country was a fief of the crown of France, though the earl of Flanders had acknowledged Urban for pope. So that contrary to the intention of the court, and no doubt of the pope himself, the croises invaded Flanders, and took Grave-ling, Bourbourg, Mardike, and Dunkirk. The earl of Flanders, surprized at this unexpected attack, having levied some troops with all possible expedition, was so rash as to go with twelve thousand men, and offer the croises battle, who had received a strong reinforcement from Ghentois. This rash action cost him dear, since he had the misfortune to see the army, on which he solely depended, entirely routed. Reduced to this fatal extremity, and beholding his country on the point of being utterly destroyed, he had no other course to take but to apply to the court of France. He represented to the young king's council how greatly it concerned France to save Flanders, especially, as in all appearance, the design of the croises was not to take up with that single conquest. The court of France, roused by these remonstrances, resolved to assist the earl. Charles VI. putting himself at the head of a very powerful army marched against the croises, who were besieging Ypres. Upon his approach they raised the siege and retired to Bourbourg, where they were invested. The bishop-general began to be in want of provisions for his army, and would doubtless, with his whole force, have fallen a sacrifice to the French, had not the duke of Bretagne used his interest in his behalf. By the mediation of this prince, the croises obtained the liberty of marching off, upon delivering up the places they had taken. Thus ended the crusade, undertaken purely on account of Urban, without the pope or England receiving the least benefit from it. As soon as the bishop was come home, the king ordered

\* He is said to have told the person who solicited him, "That the duty of his office would not permit him to put the seal, the custody whereof the parliament had entrusted him with, to all the grants the king should be pleased to make without discretion, till he had got a little more experience." † The form of the absolution ran thus: "By authority apostolical committed unto me for this purpose, I absolve thee, A. B. from all thy sins confessed, and for which thou

art contrite, and from all those which thou would'st confess did they occur to thy memory, and grant thee, with a full pardon of all thy sins, the reward of the just, and the assurance of eternal salvation, and I give thee, moreover, all the privileges granted to those who go to war in defence of the Holy Land, and make thee partaker of the benefit of the prayers of the Catholic church." Walsingham Hist. Angl. p. 295.



the temporalities of his see to be seized, and several of his principal officers to be imprisoned for not following the instructions which were given him by the court.

During the time that the croises were ravaging Flanders, England was a sufferer in her turn, by the frequent descents of the French, and the incursions of the Scots. As there was no army on foot to repulse these enemies, the king called a parliament, when a subsidy was granted for continuing the war with Scotland, the conduct whereof was committed to the duke of Lancaster. The king of Scotland being informed of the preparations making against him, sued for peace; but it was absolutely denied him.

The duke of Bretagne used his endeavours to effect a reconciliation between the two crowns of France and England. After much entreaty, he persuaded the two kings to send their plenipotentiaries between Calais and Boulogne: but this negotiation ended only in a truce for two months, in which the kings of Scotland and Castile, if they desired it, had the liberty to be included. The duke of Burgundy, uncle of the king of France, undertook to answer for the king of Scotland. But the earl of Flanders his father-in-law dying in the interim, his care to take possession of his dominions, made him forget or neglect what he had promised. But, whether the English thought the Scots would not be included in the treaty, or whether they were willing to have some benefit of the expence they had been at, the duke of Lancaster ravaged Scotland, as far as the gates of Edinburgh. This incursion obliged the king of Scotland to desire to be included in the truce, which was granted him by the mediation of the duke of Burgundy.

Soon after the duke of Lancaster's return, in 1384, an Irish monk came to court, which was then at Salisbury, and discovered to the king a secret of great importance; namely, that the duke of Lancaster his uncle had conspired to murder him, and seize the crown. This accusation was attended with so many circumstances, that Richard gave credit to it: but the duke, without the least concern, vindicated himself upon every article, in such a manner, that the king seemed perfectly satisfied. He ordered the accuser to be taken into custody, either to punish him, or to examine him more strictly; but when he was to be brought before the council, it was found that he had over night been hanged in prison, without any one being able to discover who did it. This accident did the duke of Lancaster a great injury, because it prejudiced the people against him. Another circumstance confirmed the people in the suspicion which the monk's report had raised against the duke of Lancaster. An alderman of London, who had been very intimate with the duke, having been charged with conspiring against the king, was found guilty upon strict examination. Though the duke was then absent, his close friendship with the criminal, and the endeavours he made use of to avert the sentence, gave room for reflections which were to the duke's disadvantage. He was at that time upon an embassy at Paris, where he spent fifty thousand marks, but obtained only the prolongation of the truce for some months.

The year 1385 opened with a concerted plan to destroy the duke of Lancaster, who was not beloved by the people, and no less hated by the favourites, who could not dispose of all things according to their pleasure as long as he should be in credit with the king. It is well known, that it is the custom of most favourites not to suffer about their master's person any but such as are actually devoted to their interest. Thus the present ones looking upon the duke of Lancaster as a troublesome inspector, and one that was incapable of condescending to make his court to them, imagined that the surest way to advance themselves would be to impeach him. To that purpose, they acted in concert, in order to create in the king suspicions, which might cause him to consider the duke as a dangerous enemy. Richard, who neither did nor would see any thing but with their eyes, suffered himself to be so far prejudiced in this matter, that he gave his consent to a resolution which was

taken, of accusing the duke of high-treason. Judge Tresilian, a man of a cruel and daring temper, whom we have before mentioned, took upon him to draw up the articles of the accusation, and to manage the evidence. He even offered to pass sentence upon him as a private person, though by the laws of the land he could not be tried but by his peers. From this transaction alone, if there were no other recorded in history, the reader may form an idea of the blackness of the character of this pretended dispenser of justice. This plot could not be carried on without the duke's having intimation of it, therefore he thought it would be imprudent to deliver himself into the hands of his enemies, who had preconcerted his ruin: and without attempting to vindicate himself, he withdrew to his castle at Pontefract where he procured some troops, and made other preparations with design to stand on his defence in case he should be attacked. Though he had not many friends yet as he was persecuted by the ministers, who were still less beloved than he, there were abundance of people ready enough to take his part. A civil war was on the point of breaking out in the kingdom, when the princess of Wales, the king's mother, interposed to make peace, before hostilities had commenced. After a great many journeys and fatigues she succeeded, and Richard, satisfied of the fallacious of the suspicions they would have made him entertain against the duke his uncle, received him again into favour.

During these intestine broils, no preparations were made for the war, though the truce concluded lately with France and Scotland was about to expire. They flattered themselves they should be able to renew it, but the king of France had other thoughts. As he perceived the court of England in a manner unconcerned he resolved to take advantage of it, by making a powerful effort, from whence he expected great success. To that end he sent a numerous army into Guienne, with a view to complete the conquest of that dukedom, before the English should be able to oppose it. In June, 1385, the French king sent the king of Scotland an aid of a thousand men at arms\* under the command of John de Vienne, who was to make a powerful diversion in the north, in order to favour the descent which the French were to make in the southern parts of the island. The English were greatly alarmed at these preparations, and sought means to secure their safety. The court now gave very pressing orders to levy troops, and these orders were executed with ardour and expedition; to that, says Wallingham, Richard was quickly at the head of three hundred thousand men. He detached sixty thousand to Scotland, under the command of the duke of Lancaster, whilst with the rest he himself waited the coming of the French on the southern coast. Upon the approach of the duke of Lancaster, the Scots, who were already ravaging the borders of England, retired towards the center of their kingdom, leaving the English general free liberty to revenge his countrymen, by the ravages he committed in Scotland, whither he immediately followed them. Richard having frustrated the designs of France, marched the choicest part of his army towards Scotland, and would, without doubt, have succeeded in the conquest of that kingdom, had not the jealousy entertained by some of the favourites against the duke of Lancaster, who was second in command, defeated his schemes. The Scots perceiving that the king of England, instead of exerting himself, was taken up in ravaging the country about Edinburgh, began to recover from the fright which his formidable forces had thrown them into. As they were not able to attack him, they judged the best way to oblige him to quit their country, would be to make a diversion in his. Pursuant to this resolution, they marched at a greater distance from the English army, to make the king believe they wished to avoid coming to a battle: but on a sudden by hasty marches they entered Cumberland, where they made terrible ravages. Whilst they were marching thither, Richard supposing they had fled to some other part of the kingdom, did not enquire after them; and being



satisfied with the advantages he had already gained, he resolved to return into England. He received intelligence likewise that the Scots had entered Cumberland, and that he might easily cut off their retreat; but notwithstanding the endeavours of the duke of Lancaster to bring him to a vigorous resolution, he chose rather to follow the advice of the earl of Oxford. This favourite, who had a great influence over him, persuaded him that the duke of Lancaster wanted only to expose him to danger; this advice corresponding with his suspicions and inclinations, he continued his march, without going in quest of the enemy. Every body but the favourites, were so amazed at his unconcern for the calamities the people of Cumberland laboured under, that they loudly murmured at it, and looked upon the king as a prince regardless of the public weal.

Whilst the king was on his march to London, the lord Holland, his brother by the mother's side, having quarrelled with the earl of Stafford's eldest son, slew him, and took sanctuary in Beverley-Abbey. The action was of so heinous a nature, that, notwithstanding the ties of blood, Richard resolved to give up the murderer to the rigour of the law. In vain did the princess of Wales, their common mother, intercede for her son: she could by no means obtain his pardon. This refusal so depressed her mind, that she died with grief a few days after. Nevertheless, after some time the king relented, and pardoned his brother.

The fear of the French invasion being vanished, the duke of Lancaster brought his own affairs upon the board, and demanded assistance of the king to assert his right to the crown of Castile. There could never be a more seasonable juncture to obtain what he wanted. Ferdinand, king of Portugal, being dead without leaving any legitimate children except Beatrice, queen of Castile, the king her husband pretended, that the crown of Portugal was devolved to his queen by the death of the king her father; but the Portuguese, not being able to bear the thoughts of living under the dominion of the Castilians, had placed on the throne John, natural son of the late king. This quarrel being hardly to be decided but by arms, the king of Castile entered Portugal, and advancing as far as Lisbon, laid siege to that city: but meeting with a braver defence than he expected, he wished to retire. In the next campaign he lost a battle, which obliged him to quit Portugal, hoping still to compass his ends by the assistance of France. The new king of Portugal finding that his enemy was about to receive aid from the king of France, sent ambassadors to England, to make an alliance with Richard, offering to acknowledge the duke of Lancaster for king of Castile, and to support his right with his power. The affairs of England were then in a proper posture to cause the negotiation of the Portuguese ambassadors to meet with success. Richard, prejudiced against the duke his uncle, heartily wished him at a distance, his favourites continually buzzing in his ears that he was a dangerous relation, and a very troublesome governor. They represented to him, that it was his interest to dethrone the king of Castile, sworn enemy of the English; which might be more easily done, as the king of Portugal was to make a powerful diversion. The duke of Lancaster hastened with all possible ardour the conclusion of this affair, imagining, that with the forces of England and succours of Portugal, it would not be impossible to accomplish his designs. These considerations induced the king's council to give a favourable hearing to the king of Portugal's proposals, and to promise the duke of Lancaster an aid in proportion to the importance of the undertaking. Pursuant to this resolution, the king called a parliament to demand a subsidy which should enable him to go through with his project. The commons readily granted it, and appeared determined to

support the expedition: not so much out of love to the duke, as to remove him from the kingdom, where it was feared he would at length occasion troubles which might prove fatal to the state. Thus the duke of Lancaster, sure of the parliament's assistance, made in quality of king of Castile, a league offensive and defensive with the king of Portugal, and set about making preparations for the war with all possible expedition. The same parliament declared Roger Mortimer, earl of March, presumptive heir to the crown, in case Richard died without issue\*. Before the parliament broke up, the king conferred on the earl of Cambridge his uncle, the title of duke of York; on the earl of Buckingham his other uncle, that of duke of Gloucester. He could scarce dispense with raising these two princes to higher degrees of honour, unless he would leave them below the earl of Oxford, whom he created at the same time marquis of Dublin, and quickly after duke of Ireland. This favourite was the first that bore the title of marquis in England, where it was hitherto unknown. Michael de la Pole, another of the king's favourites, was made earl of Suffolk, and high-chancellor of the realm.

In the beginning of the year 1385, Leo, king of Armenia, who was driven from his dominions by the Turks, came to England to confer with Richard. His design was to procure a firm and lasting peace between France and England, in hopes that afterwards the two crowns would join their forces to restore him to his kingdom; but if he succeeded not in his project, at least he obtained from Richard a considerable pension, and a yearly pension of twenty thousand marks.

The duke of Lancaster being now ready for his Spanish expedition, he embarked at Portsmouth, with an army of twenty thousand men, among whom were two thousand men at arms. He carried along with him Constantine of Castile, his wife, and his two daughters Philippa and Catherina, the first of whom he had by Blanch of Lancaster, and the other by Constantia. The king and queen accompanied them to Portsmouth, and wishing them good success, presented them with two gold crowns. The duke having set sail, arrived on the 9th of April at Corunna, where he landed his troops. Upon his arrival, he made himself master of several places in Galicia, and at length of Compostella, where he passed the winter. Whilst the season prevented him from continuing his progress, he concluded a marriage between Philippa his eldest daughter and the king of Portugal, and spent the rest of the time in projecting the next campaign.

The duke of Lancaster's departure made the court of France think that England, deprived of her best troops, would be unprovided for her defence; so that Charles resolved to make a fresh attempt to conquer that kingdom. With this view he made prodigious preparations, insomuch that all Europe expected with wonder the issue of this undertaking. He had got ready nine hundred transport ships, and caused a wooden fort to be made (which could be taken in pieces) for the defence of his army after landing. If the duke of Berry, uncle to Charles, who had an inclination to render the project abortive, says Mezerai, had not delayed coming too long, the French would have found England unprovided with troops to oppose their progress; but the duke not repairing to Sluys till the 14th of September, Richard had time to prepare for his defence, so as to have no reason to fear the mighty efforts of his enemies. It was, without doubt, the great diligence of the English, rather than the season, which was not too far advanced for so short a passage, which obliged the king of France to send his troops into winter quarters.

As soon as they had received notice in England of the designs of France, troops were levied with speed and success, so that an army of two hundred thousand men

\* He was son of Philippa, only daughter of Lionel, duke of Clarence, second son of Edward III. and grandson of Roger Mortimer, earl of March, who was executed as a traitor in No. XXVI.

the late reign; but the sentence passed upon him was afterwards revoked, because the formalities prescribed by the laws and customs of the realm had not been observed at his trial.



were drawn together. Part of these forces were put into places the most exposed, whilst the rest stood ready to hinder the enemies landing. As money was requisite to maintain this vast army, the parliament was called to find ways and means. The king demanded a subsidy proportionable to his wants, and the parliament was willing to grant it, but would not leave the money in the hands of the king and his favourites, among whom the marquis of Dublin and the earl of Suffolk held the first rank. The hatred which the people had entertained against these lords, was so great, that in order to ruin them the parliament scrupled not to hazard the loss of the whole kingdom. They presented an address to the king, desiring that the treasurer, and the earl of Suffolk, the chancellor, might be removed from their places. Richard little expected any such thing on the present occasion, and therefore received the address with an indignation it was not possible for him to conceal. He answered with asperity, that the parliament ought to mind the business for which they were convened, and not meddle with matters which belonged not to them. He also added, that, "To please the parliament, he would not discharge the meanest scullion in his kitchen." At the same time he set out for Eltham, not staying for a reply.

Though the king could not doubt but so offensive an answer would incense the commons, he sent, a few days after, the chancellor himself to order them, in an imperious manner, to grant him the subsidy he had demanded. This order, hitherto unusual in affairs of this nature, was received with so great a concern, that the two houses uniting upon this occasion, as having one and the same interest, sent the king word, that "They would debate no affairs till he should return to his parliament, and his ministers be punished according to their deserts." This reply having highly provoked the king, he commanded the two houses to send to him forty deputies to give an account of their proceedings. But the parliament was so far from complying with his commands, that they would have come to an open rupture, if the most prudent had not prevailed with them, though with great difficulty, to send to the king the duke of Gloucester his uncle, and the bishop of Ely. The two deputies being come to Eltham, told the king, in the name of the two houses, that as the sovereign had power to convene them, they had likewise a right to require his presence in his parliament. They added, it was enacted by an old statute, "That in case the king absented himself forty days from his parliament, without lawful cause, the members might return to their homes; which they were resolved to do, if the king persisted to deprive them of the honour of his presence." To this vigorous declaration Richard replied with vehemence, and with no less imprudence, "That he plainly saw his subjects had taken the resolution to rebel against him, and therefore he had nothing more to do, than to demand the assistance of the king of France to reduce them to their duty." The deputies made answer, "That the king of France was the most mortal enemy of the English nation, as he had fully given to understand by his endeavours to destroy them; therefore the desperate resolution the king threatened them with, could not but proceed from the pernicious counsels of some about him, who sought only to set him at variance with his faithful subjects." Upon these words they withdrew, saying, "Their orders were only to intreat him to return to his parliament, whose sole view was his and the kingdom's welfare." The deputies being gone, Richard became more moderate in his resolutions, and repaired to the parliament, granting, with a good grace, whatever they had required of him. The chancellor was not only removed from his office, but summoned to appear and give account of his administration, wherein it was notorious that he had been guilty of many misdemeanors. The marquis of Dublin, lately made duke of Ireland, was sent away to the island the title whereof he bore, with a pension of three thousand marks, his whole estate

being confiscated by order of parliament. This done the two houses appointed thirteen commissioners to take care of the public affairs jointly with the king. The duke of Gloucester and the earl of Arundel were authorized to examine the public accounts, and how the king's revenues had been disposed of. A few days after the chancellor having been found guilty of mismanagement, was compelled to restore all the grants he had received of the king. These grants were so excessive, that Richard himself, having never computed them, could not help being surprized at them, and upbraided his favourite for abusing his good-will. Towards the end of this session came the welcome news of the French army being separated, and their fleet being dispersed by a storm, the greater part of which foundered on the English coast.

As soon as the dread of an invasion was over, the parliament broke up, and the king quickly gave proofs of his fickleness, by recalling the duke of Ireland, the earl of Suffolk, and the archbishop of York. The favourites took their former posts with hearts full of revenge, especially against the two commissioners of the public accounts, who by the strict examination they had made into their conduct, had occasioned their condemnation. They persuaded the young king that it was for his sake they had suffered, and that the designs of their enemies aimed not so much at the ministers as at the king himself. They represented to him, that by accusing the counsellors, a man plainly shews he believes the sovereign incapable of governing, and that the readiest way to discredit a prince, is the persuading his subjects that he makes use of ill ministers. These insinuations made so deep an impression in the king's mind, that he resolved to free himself from the restraint put on him by the parliament: but the favourites told him, that it would be a difficult task as long as the duke of Gloucester was at the head of the faction. By this means they caused him to consent to all the plots which might be formed to ruin his uncle. Being sure of the king's approbation, they concerted the means to compass their ends; and it was resolved to poison the duke and some other of their principal enemies, at a feast to which the city of London had invited them: but as they durst not execute their plot, without first making sure of the mayor, he gave the duke of Gloucester notice of his danger, so that he escaped the snare.

In the spring of 1387, the earls of Arundel and Nottingham, admirals of England, put to sea, and took a fleet of French, Spanish, and Flemish merchant-men, which they brought to England; several of them were laden with wine. After that they sailed to Bretagne and relieved Brest, besieged by the duke of that country. Instead of being rewarded for this great service, they only drew upon themselves the indignation of the king, owing to the insinuations of his ministers, who intimated to him, that the taking of these ships would indubitably bring troubles upon him, which would much embarrass him. The two earls, highly offended at the uncivil reception they met with, threw up their commissions, which was given to the earl of Northumberland. Thus did the favourites stir up their master against the principal lords, in hopes of reaping the fruits of their artifices when the king should be of age.

Shortly after, the duke of Ireland persuading upon the influence he had over the king, had the insolence to divorce his wife, daughter of lord Concy, and granddaughter of Edward III. in order to marry one Lancerone, maid of honour to the queen, of a mean family in Bohemia. Though this divorce was a great disparagement to the royal family, Richard shewed not the least concern at it: but the duke of Gloucester highly resented the affront, and declared he would revenge it the first opportunity. This threat made the duke of Ireland seek the means to make the king absolute. To that end, the duke pretended to set out for Ireland, and took the road to Wales, whither the king was pleased to accompany him. Upon the road they concerted together the means of executing the project they had formed



of assuming an arbitrary power, of which the duke of Gloucester, the earls of Arundel, Warwick, Derby, and Nottingham, were marked as objects of their vengeance. The result of their consultations was, that the king should first raise a large army; and that he should afterwards call a parliament, the election whereof should be so managed, that the members should be all at his devotion, and that he should cause to be passed all such acts as were necessary to secure him an unlimited power.

In order to raise this army, it became necessary to communicate his design to the sheriffs, which he did by telling them, that he intended to raise an army with a view to chastise the above noblemen. He demanded what number of troops each of them could furnish him with. He then told them he designed to call a parliament, and ordered them to suffer no representative to be chosen, but what should be in the list he should himself present to them. The sheriffs made answer, "That he gave them such orders as it was not in their power to execute: that the people were so well inclined to the lords he had mentioned, that there was no prospect of being able to levy an army against them: that it was still more difficult to deprive the people of their right of freely electing those who were to represent them in parliament." But the judges\*, to whom the king also communicated his intention, were not so scrupulous. The king demanded of them, whether he had not power to turn out the thirteen commissioners appointed by parliament, and annul such acts as were prejudicial to him; they replied, "The king is above the laws." Nevertheless, when they were required to set their hands to their opinion, some of them wished to be excused, but were compelled to it by the menaces of the favourites. It is affirmed that one of the judges† said aloud after signing, "That never did action better deserve hanging than that he had just been guilty of." The opinions of the judges being thus extorted, Richard thought all difficulties were surmounted. He immediately issued out commissions to levy an army: but he found so few willing to serve him, that he desisted from his project. Full of rage at his disappointment, he returned to London, after having to no purpose declared his designs, which drew upon him more and more the hatred of his subjects.

The duke of Gloucester, and the other lords of his party, perceiving that their destruction was determined, and that if the king and his favourites had not already sacrificed them to their animosity, it was not for want of will but of power. The only remedy left them, as they thought, was recourse to arms; but they prudently laid aside that method till all others proved vain. With a view to remove the king's prejudices, the duke of Gloucester sent the bishop of London with humble assurances of his allegiance, and an offer to clear himself by oath, of the crimes falsely laid to his charge. Richard seemed at first inclinable to admit of this justification; but the earl of Suffolk told him, even before the bishop, that he would never be safe on the throne while the duke of Gloucester remained alive. The bishop of London was so offended at these words, that he told the favourite, "That being condemned by parliament, and holding his life purely by the king's favour, it became him less than any person, to accuse loyal subjects." This bold reply so displeased the king, that he commanded the prelate to depart from his presence. The proscribed lords being persuaded that a vigorous defence was now the only way left to screen them from the designs of the court, resolved at length to take arms. As they were in great credit with the people, who looked upon them as their protectors, they soon drew together an army of forty thousand men, with which they marched directly to London, and encamped in the vicinity of the city.

The diligence of the lords broke all the measures of the king and the ministry: Richard resolved to give up to king Charles of France, Calais and Cherbourg, in order to have from him a powerful aid, which might enable him to reduce his "rebellious subjects," as he termed them. But the sudden approach of the lords prevented him from executing his design; and he endeavoured to amuse the malecontents, whilst the duke of Ireland was intended to go and raise an army in Wales, where he had many friends. Pursuant to this project, he sent word to the malecontent lords, that he was ready to grant them all that was reasonable, and to that end should be on the morrow in Westminster-Hall, where they might present their petition. The lords gladly embraced the offer, and after having taken care not to be surprized, they repaired to the place appointed. They found the king seated on a throne in his royal habit, expecting their coming: approaching the throne, they fell on their knees, in the posture of petitioners, though, in effect, it was not so much to ask a favour, as to prevail with him to punish his ministers. The bishop of Ely, who was high-chancellor‡, having asked the reason of their taking arms, they replied, it was purely for the good of the king and kingdom; adding, the king's person should be always inviolable to them, and that their intention was only to bring the traitors who were about him to condign punishment. Then they named in particular, the duke of Ireland, the earl of Suffolk, the archbishop of York, judge Tresilian, and one Bembre, an alderman of London, who was of the cabal. The king gravely answered, that at the next parliament justice should be done to all. Then he upbraided them for their presumption, and would have persuaded them that it was in his power to destroy them, but that out of pure condescension he was pleased to favour them with a hearing. After this he took the duke of Gloucester by the hand, and bidding the rest rise up, he told them, regard should be had to their complaints. His aim being only to amuse them, he ordered a proclamation to be published, to justify their appearing in arms, in hopes that it would induce them to dismiss their troops; but they were too well acquainted with their character of the king and his ministers, to trust to their bare word. The apprehension of being suddenly oppressed, as soon as they should be no longer in a condition to make themselves feared, made them resolve to continue in arms till the parliament should meet. It was not long before they plainly saw how necessary this resolution was; the duke of Ireland having levied an army in Wales with wonderful expedition, marched with speed to the king's assistance. If he should be able to approach London, it was not certain that the citizens would join the confederates; to prevent this danger, the earl of Derby, eldest son of the duke of Lancaster, went out with a detachment from the army to meet the duke of Ireland, and finding him in Oxfordshire gave him battle, and gained an easy victory over him. In the beginning of the fight, the duke, who was fearful of falling into the hands of his enemies, took to his heels, without troubling himself about what became of his army. All his baggage being taken, in a casket was found a letter from the king, commanding him to "march to London with all possible speed," and promising him to "live and die with him." This defeat broke the king's measures, and the duke fled into Holland. After some stay at Utrecht, he went to Louvain, where he died about three years after; the earl of Suffolk would have retired to Calais, but the governor not daring either to arrest or protect him, sent him back to the king. Mean while the king had sheltered himself in the Tower, uncertain as he was what resolution the victorious lords would come to with regard to him. He had the more

\* They were Sir Robert Tresilian, chief justice, whom we have before mentioned; Sir Robert Belknap, chief justice of the common-pleas; Sir John Holt, Sir Roger Fulthorp, and Sir William Burgh.

† Sir Robert Belknap, who said upon signing, "There was nothing wanting but a sledge, a horse, and a halter, to carry him to the death he deserved." Hist. Locestrons.

‡ De la Pole was not chancellor again after he was recalled, reason



reason to fear, as a Frenchman was stopped at that time, bringing him a safe conduct to come to Boulogne, where king Charles waited for him. It was, moreover, discovered by a letter found in the hands of the same person, that Charles expected to be put in possession of Calais and Cherbourg, and that he had even advanced part of the sum which he was to give for these two places.

The confederate lords being fully satisfied of the pernicious designs of the king and his ministry, marched their whole army to London, in the beginning of 1388; where they demanded a conference with the king. Richard wished to have been excused: but finding there was no remedy, and being apprehensive of starving in the Tower, he durst not refuse it. At this interview, they upbraided him bitterly with the Nottingham-plot to destroy them; with his design to make himself absolute by means of an army; with his attempting to have a parliament at his devotion; with his orders to the duke of Ireland to march to London, whilst he was deluding them with vain promises; lastly, with the treaty he had made with the king of France, to deliver up Calais and Cherbourg. Richard answered these reproaches with tears; and the lords, moved by compassion, imagined that the king's ill conduct proceeded only from his little experience, and the bad counsels of his favourites, and that having them no longer about him, he might return to the right way. This notion having made them more tractable, it was agreed that the king should meet them at Westminster on the day following, to settle the affairs of the government. Hardly were they out of the Tower, before he altered his mind, and sent them word that he would not confer with them. This fickleness so much incensed them that they caused him to be immediately told, that if he repaired not to Westminster as he promised, they would repair thither themselves; and proceed to the election of a new king. This precise declaration forcing him to a compliance, he consented to the banishment of his two principal favourites, together with the archbishop of York, the bishops of Durham and Chichester, and several other lords and ladies who had favoured the designs of the court. As for the judges, it being resolved they should be treated with the utmost rigour, they were taken off the benches in Westminster-Hall, and sent to the Tower.

In February, 1389, the parliament assembled again, and several persons were impeached of high treason, and sentenced to divers punishments; Tresilian, Bembre, and some other knights and gentlemen were hanged at Tyburn. The rest of the judges, with the bishop of Chichester, received the same sentence: but they had their lives granted them, and were banished to Ireland. As for the two favourites and the archbishop of York, they were condemned to exile, and their estates confiscated to the king's use. After the parliament had thus paid what was thought due to justice, two acts were passed, the first of which forbade the ascribing to the king the late commotions, and the other granted a general pardon to both parties. The affairs of the realm being thus settled, the king renewed his coronation oath, as if he had began a new reign, and all the lords did him homage at the same time; repeating their oaths of allegiance. This parliament, which was called *The Merciless*, broke up on the 4th of June following.

During the troubles in England, the Scots advanced as far as Newcastle, under the conduct of Sir William Douglas, and committed great ravages on the borders. As soon as the commotions were appeased, Henry Percy, surnamed Hotspur, son of the earl of Northumberland, marched against the Scots, and giving them battle near Otterbourne, slew Douglas with his own hand. But the earl of Dunbar coming upon him with a body of fresh troops, defeated the English army, and Hotspur was taken prisoner. About the same time, the earl of Arundel, whom the parliament had made high-admiral, went to the assistance of the duke of Bretagne, attacked by the king of France. His coming having obliged Charles to grant the duke peace, the English were sent home. In his return, the earl of Arundel took

from the French eighty freighted ships, and plundered the isles of Rhé and Oleron; after which he returned with his fleet to England. In the beginning of 1389, the two crowns agreed upon a three years truce, in which the Scots were included.

The king being now entered into his twenty-first year, he called his council, ordering all the members to be present. When they were met, he demanded of them how old he was, to which it was replied, "You are full twenty years of age." "Since it is so, added he, I will govern my kingdom myself; the condition of a king ought not to be worse than that of his subjects, who are at liberty at that age to manage their own affairs." Having thus made known his mind to them, he commanded the chancellor to deliver him the great seal, which he gave to the bishop of Winchester. At the same time he turned out the bishop of Hereford from being high-treasurer, and removing from the council-board the duke of Gloucester his uncle, the earl of Warwick, and some others whom he did not like, he put such in their room as he believed more pliant to his will. It was not long before disorder and confusion were visible in the public affairs; one of the first things the favourites did, was to insinuate to the king, that the duke of Gloucester had ill designs upon his person. But the duke so fully vindicated his innocence, that the king was ashamed of having given ear to so groundless a charge; he would not, however, permit the duke to prosecute his accusers, though they had been confused in his presence.

During these transactions the duke of Lancaster returned from the Spanish expedition. The progress he had made there, obliged the king of Castile to make a treaty with him, whereby he bound himself to pay down six hundred thousand livres, with an yearly pension of forty thousand, during the lives of the duke and duchess. This treaty was followed by a marriage of the prince's Catherine, daughter of the duke of Constantia, with Henry, eldest son of the king of Castile, on account of which marriage the duke and duchess resigned their right to that crown. Upon this arrival in England Richard was secretly enraged, though he outwardly appeared reconciled to his uncles, the dukes of Lancaster and Gloucester; and dreading the consequences of an alliance between them, he thought it would be most conducive to his own safety, to procure the duke of Lancaster's absence. To attain his ends, he made him the richest present that a king of England could then make a subject, by investing him with the duchy of Guienne, with the same privileges as were granted to the late prince of Wales the king's father.

Soon after the duke of Lancaster's investiture, the earl of Derby, his eldest son, bore arms in Prussia†, says Rapin, where he signalized himself by many gallant actions. Whilst this prince was endeavouring to gain a reputation by his warlike exploits, Richard passed his time in sham fights. He spent immense sums in tournaments, which gave occasion to compare him with the earl of Derby his cousin, who was in great esteem.

In the year 1391, the parliament revived a statute, enacted in the reign of Edward III. and confirmed in this. By this act it was made high treason to bring into the kingdom provisions from the court of Rome without the king's licence. A nuncio was sent to England upon this account, who threatened that the pope would bring things to the last extremity: but his menaces were of none effect; for the parliament would not annul the act.

Though a terrible plague, and a famine no less intolerable, afflicted England at that time, the king, who was fond of pomp and show, retrenched none of his diversions or expences. It is affirmed, that he entertained daily ten thousand persons. In his kitchen alone three hundred domestics were employed; and the queen had the like number of women in her service. The courtiers obtained so readily whatever they requested, that the king's favours lost much of their value by their

\* William Wickham, founder of Winchester School and New College in Oxford.

† According to others, in Africa.



easiness to be procured. In a word, he affected in every thing a profuseness which could not but be very chargeable to his subjects, and by necessary consequence draw on him their aversion. Richard, owing to his profuseness, being now in want of money, requested the citizens of London, in March, 1392, to lend him a thousand pounds. Upon their refusal, an Italian merchant offered to lend the money; but this action displeasing the populace, they put him to death.

Richard highly resented this affront, which soon after he found an opportunity to revenge. Under colour of punishing a tumult of little consequence, raised by a baker's apprentice, he stripped the city of all her privileges, took away her charter, and removed the courts of judicature to York. It is true, he restored all again afterwards; but the Londoners were obliged to redeem their charter by a present of ten thousand pounds and two gold crowns. By this procedure he lost all remains of affection in the citizens, who made him sensible, in the sequel, how dangerous it is for a king of England to have the citizens of London for his enemy.

In the beginning of the year 1393 arrived at London deputies from the English settled in Ireland, imploring assistance against the natives. For some time there had been frequent insurrections in the island, which plainly shewed that the Irish wanted to shake off the yoke of the English. Hereupon the duke of Gloucester requested, that he might be permitted to go and suppress the rebels; but the king not thinking proper to trust him with the command of an army, resolved to go himself. In this resolution he called a parliament, which granted him a large sum, as well for the Irish war, as to defray the charges of an embassy of the dukes of Lancaster and Gloucester, who were to negotiate a final peace with France. This affair came to nothing by an accident which prevented the plenipotentiaries from meeting between Ardres and Guisnes, according to agreement. King Charles, who was from time to time seized with a distemper which deprived him of his understanding, went to Abbeville to let the English see he was in good health; but here he had a relapse, which occasioned the deferring the negotiation of the peace to a more convenient season.

The preparations the king was making for his voyage to Ireland, were somewhat interrupted in the year 1394, by the funeral solemnities of his queen, and of the duchesses of Lancaster and York, who all died about the same time. Some historians affirm, that the queen was a great favourer of Wickliff's doctrine, and that, had she lived any longer, she would have saved the Lollards (for so Wickliff's followers were called,) a great many of the calamities they afterwards underwent. The departure of the duke of Lancaster, their chief patron, who was gone to take possession of the principality of Guienne, not a little contributed to help forward the designs of their enemies, who laid hold of these favourable junctures to persecute them. Soon after Richard embarked for Ireland, and arrived there in September. He at first made some progress against the rebels; but as the season would not permit him to proceed, he went to Dublin, where he called a parliament, whilst the duke of Gloucester assembled another in England\*, which granted a subsidy for carrying on the war in Ireland.

In 1395, Richard was preparing to take the field again, when the archbishop of York and bishop of London arrived from England, to entreat him in the name of the clergy, to hasten his return to his own kingdom. They even gave him to understand, that the least delay

might bring an irreparable damage to religion: the foundation of this great alarm was, that at the late parliament the Lollards had made instances to set on foot a reformation of the church†. As they had a great many friends in the kingdom, and even in the parliament-house, the clergy were afraid they would proceed upon this reformation. Hereupon Richard set out immediately for England, leaving to the earl of March the care of putting an end to the war. Upon his arrival at London, he took certain measures with the clergy to try to suppress the sect of the Lollards, and compelled one Sir Richard Story publicly to abjure their doctrine, threatening to punish him with death, if ever he returned to their communion again.

Shortly after was brought over into England, by the king's order, the corpse of the duke of Ireland, who died at Louvain. Richard himself attended at the funeral pomp with only some of the clergy‡.

In 1396 the Gascoignes, pretending that their country was inseparably united to the crown of England, maintained that it was not in the king's power to alienate it, and therefore refused to acknowledge the duke of Lancaster. This pretension was backed with a consideration of interest, which confirmed them in their obstinacy. They asserted, if once they were separated from England, they ran the risque of being deprived of the only protection which could prevent their falling under the dominion of France. For this reason they declared, that the alienation in question was equally prejudicial to themselves and the crown of England. It was objected to them, that they had never made the same scruple with regard to the prince of Wales, the king's father; but they replied, there was a wide difference between that alienation and this. That the former being made in favour of the next heir to the crown, was to be but for a time, whereas it might easily happen that the latter might be for ever. After several contests on this subject, which lasted some time, the king resolved at length to revoke the grant, which the duke of Lancaster readily yielded to. To comfort him in some measure for his loss, the king gave him leave to marry Catherine Rowet, widow of Sir Thomas Swinford. The duke had kept her as his mistress many years, and had by her several children, which were afterwards naturalized by the name of Beaufort. Some time after the king created the eldest earl of Somerset§.

Before the duke of Lancaster arrived, the king had sent ambassadors to France, to demand in marriage Isabella, daughter of Charles VI. The court of France had at first rejected this proposal, as well because the princess was but seven years old, as because she had been promised to the duke of Bretagne. The marriage, however, was concluded at a second negotiation, and a truce for twenty eight years was agreed upon between the two crowns. Shortly after both the kings met between Ardres and Calais, under tents pitched on purpose, where the two courts displayed all their magnificence, and where the treaty was signed and the nuptials solemnized||. The duke of Gloucester, who neither liked the marriage nor the truce, shewed some discontent, and frankly told the king, that it would have been more to the purpose, to exert his endeavours for the recovery of what England had lost in France, by making a vigorous war, than by entering into an alliance with a crown that had gained more treaties with the English than by force of arms.

In the beginning of the year 1397, the parliament granted him a very considerable sum; but it was not

\* Walsingham says, the parliament was summoned by Edmund, duke of York, whom the king had left regent; and that the duke of Gloucester, whom the king had carried along with him to Ireland, repaired to England to set forth the king's wants.

† They delivered a remonstrance into the house against the corruptions of the church, containing twelve articles.

‡ He was buried at Coln in Essex, and was succeeded in his estate and honour of earl of Oxford, by Alberic de No. XXVI.

Vere, his uncle.

§ There were four, John, Thomas, Henry, and Joanna. They were surnamed Beaufort from the castle of Beaufort, in France, that came by Blanch of Artois.

|| It is affirmed, says Rapin, that on this occasion, Richard expended three hundred thousand marks, a sum far exceeding that of two hundred thousand, which he received in deduction of what had been promised him with his queen.



sufficient to enable him to pay those debts which his extravagance had caused him to contract. Being thus disagreeably situated, he was ashamed to demand a fresh subsidy of the parliament, and therefore had recourse again to loans, or rather to extorted grants, which he exacted from all persons in easy circumstances. There was not a lord, bishop, gentleman, or rich burgher, but he obliged to lend him money, even though they were sensible he never designed to repay them. Though this method of raising money upon the people, had constantly been looked upon by the English, as one of the greatest breaches of their privileges, it occasioned no commotion at this time.

About this time also he gave the people another cause of complaint, by giving up Cherbourg to the king of Navarre, and Brest to the duke of Bretagne, for an inconsiderable sum of money. He pretended, that the engagement he was under to restore the places after a peace, or a long truce with France, made this restitution necessary; but it was well known also that the king of Navarre, and the duke of Bretagne, had been the first to break their word. Be that as it will, the duke of Gloucester thought this false step so prejudicial to England, that he upbraided the king in very sharp terms; to which Richard made such a reply, as plainly intimated how much he was offended at his remonstrance. This accident revived in the heart of the king the hatred he had before entertained against the duke of Gloucester, which being rather laid aside than extinguished, did not fail to appear from time to time, how careful soever he might be to conceal it. He complained to the duke of Lancaster and York, that the duke of Gloucester took upon him to control his actions; and amongst his complaints, he let fall some expressions, which made them think he suspected all three of having ill designs upon him. The two dukes protested they had an unshaken loyalty for him, and did not question in the least but the duke his brother had the same, though his hasty temper caused him sometimes to speak with too much warmth. The king appeared satisfied with their remonstrances; but his easiness to be appeased, after expressing himself so angrily, made them suspect that his intentions were not very pacific; so that they were induced to quit the court, and retire to their estates. Their withdrawing proved, in all likelihood, the occasion of the duke of Gloucester's ruin. His enemies had now the better opportunity to exasperate the king against him, and to determine him at length to contrive the means of his death. As his conduct exposed him not to the rigour of the law, it would have been dangerous to have attempted to take away his life that way, so that Richard resolved to make use of a more speedy and less uncertain method. To compass his ends, he went one morning to his uncle's country house, and finding him in bed, desired him to repair to London immediately with him; he pretended he wanted him in an affair of very great moment, which he would acquaint him with on the road. The duke being soon mounted on horseback, rode by the king, who talked to him about the pretended business, without discovering any other design. Whilst they were discoursing together, they came to a hollow way, where the duke was surrounded on a sudden by a troop of horse, who carried him to the bank of the Thames, and conveyed him on board a ship, which lay ready to transport him to Calais\*. Upon the king's coming to London, he sent for the earls of Warwick and Arundel, and after he had talked with them some time, in a manner very different from his design, he ordered them to be apprehended and conducted to the Tower. He served the lord Cobham, and some other lords whom he designed to prosecute, in

a similar manner. Richard now found the people began to be uneasy on account of these unwarrantable proceedings, insomuch that he was obliged to issue out a proclamation, declaring that these lords were taking into custody for fresh misdemeanors, and promising that they should be proceeded against in a legal manner.

The people being somewhat appeased by this proclamation, the king summoned all the peers of the realm to Nottingham, with a design rather to discover how they were affected, than to ask their advice about the manner of proceeding against the prisoners, since he had already determined what method to pursue. The lords, after some deliberation, being fearful of drawing on themselves either the king's indignation, or the hatred of the people, declared, that the affair was of such a nature, that it could not be decided but by the authority of the parliament. This suited with the king's inclinations; having already taken all necessary measures to have a parliament devoted to his interests, he had previously changed all the sheriffs of the kingdom, and suffered none to continue in, but such as promised to be subservient to his designs. He had done the same thing with regard to all the magistrates, who might have any interest in the boroughs and counties; so that by means of these magistrates, and all that were in public posts, he had caused such representatives to be chosen as he had made sure of beforehand. If any were elected that should not be agreeable to him, the sheriffs were ordered to use every means to set aside their election, and get others chose in their room. Besides, as the house of commons were the sole judges of the validity of the elections, he was very well assured that in a parliament so made up, he could get such confirmed or rejected as were friendly or inimical to his purposes.

Let it not be thought, we may well say with Rapin, that it is a very difficult thing for a king of England to bring about such a project; experience has long since confirmed by numberless instances, that by the like ways, it is far from being impossible, to cause such representatives to be chosen as are devoted to the court. However, historians remark, that it was in the parliament I am speaking of, that such practices were first set on foot. But it must likewise be added, continues he, that this was one of the principal causes of Richard's downfall, as we shall see hereafter. And indeed it is impossible, that a nation can see their liberties in the hands of people whom they have not freely chosen, without desiring to rid themselves of such an oppression.

The parliament being thus made up of creatures devoted to the interest of the crown, the bishop of Exeter opened the sessions with a speech, wherein he endeavoured to prove, that the regal power was unlimited, and that such as would set bounds to it deserved the severest punishment. Pursuant to this principle, which met with a general approbation, as may easily be supposed, the parliament repealed the act of grace passed nine years before in favour of the duke of Gloucester, the earls of Warwick and Arundel, and all their adherents. All the acts were likewise annulled that were passed in the parliament, which appointed the thirteen governors to the king, as having been extorted during his minority. This assembly made no scruple to sacrifice to the passions of the king and his ministers, the most distinguished lords of the kingdom, as well as the liberty and privileges of the people. Thomas Arundel archbishop of Canterbury, was impeached of high-treason, for having been one of the commissioners appointed by the parliament of 1386, to whom was committed the inspection of the administration of the public affairs. For this new kind of crime, the archbishop was condemned to banishment, and his estate confiscated to the

\* The king came to Pleshy in Essex, about five o'clock in the afternoon, and told the duke at supper, that he must go with him to London that night. Accordingly, with no more than seven servants, he sat out with the king, taking the way of Hondelay to avoid the common road, and riding hard they

came to Stratford about ten or eleven o'clock, where the king putting spurs to his horse, rode away before, at the same time the earl marshal, who lay in ambush, seized upon the duke, who in vain cried out to the king for help. Froissard, p. 187.



king's use. The earls of Arundel and Warwick were accused of the same crimes, for which nine years before the king had granted a pardon, and sentenced to die by this truly merciless parliament. The earl of Arundel's head was soon after severed from his body, the king himself chusing to be present at the execution. The earl of Warwick was, on account of his submissive behaviour, treated with less rigour, his sentence being changed into perpetual banishment to the Isle of Man. As to the duke of Gloucester, in all appearance the king was apprehensive, that it would be too dangerous to put him to death publicly, or that the parliament would not comply so far as to make a sacrifice of so considerable a person. Be this as it will, a warrant was issued to the governor of Calais, to bring over the duke of Gloucester, in order to his trial; but the governor returned for answer, that the duke had died suddenly of an apoplexy in that fortress, and that before he expired, he confessed himself guilty of treason against the king. Upon this report, the truth of which was not at all examined into, the duke's whole estate was confiscated to the king's use. It immediately became the general opinion, that he was murdered by order of his nephew; and in the subsequent reign the truth appeared, when undoubted proofs were produced in parliament, that he had been strangled by the wretches set over him as his keepers.

These severities naturally produced some alteration among the nobility; but to prevent the accidents which might thence arise, Richard took care to gain the principal lords, and particularly the princes of the blood, by conferring on them new honours. He created the earl of Derby his cousin, eldest son of the duke of Lancaster, duke of Hereford. The earl of Rutland, eldest son of the duke of York, was made duke of Albemarle. The earl of Kent received the title of duke of Surrey. The earl of Huntingdon, half brother of the king, was created duke of Exeter. The earl of Nottingham, duke of Norfolk; the lord Scrope, earl of Wiltshire; lord Spencer, earl of Gloucester; Thomas Percy, earl of Worcester; and lord Nevil, earl of Westmoreland. Lastly, out of complaisance to the duke of Lancaster, the king made his eldest son by his third marriage, who was already earl of Somerset, marquis of Somerset\*. To these honourable titles he added other favours, by distributing among these lords the forfeited estates of the duke of Gloucester, and of the earls of Arundel and Warwick.

In those days the parliament seldom sat above one session, unless the business required a short prorogation. But this was too well disposed for the king to be willing to hazard the having one less devoted to his interest; so than not thinking fit to dissolve it, he adjourned it to Shrewsbury: this town in the neighbourhood of Wales, where he had several adherents, seeming to him more proper for his designs than London, where he was very sensible he had not many friends.

The second session, which was held at Shrewsbury, January 28, 1398, was only a continuance of the extraordinary proceedings already begun at Westminster. The parliament strove to carry the royal prerogative to a higher pitch than any king of England had ever pretended to stretch it, and established such maxims as were destructive of the constitution and liberties of the people. They approved as conformable to law, the opinions for which nine years before the judges had been condemned. Pursuant to this principle, and judges who attended during the sitting of the parliament, decided, that "When the king proposed any articles to be debated in parliament, it was high-treason to bring in others before the king's were first dispatched." By this and the like decisions, the cases of high-treason were multi-

plied to such a degree, that hardly was it possible to prevent incurring the guilt of it; but by making the king's will and pleasure the sole rule of their actions. At last, under colour of dispatching business, the parliament appointed a certain number of commissioners, who were invested with the authority of the whole house. Thus, by an unprecedented act, the whole power of the nation was devolved to the king, twelve peers of the realm, and six members of the house of commons. To give the greater validity to these irregular proceedings, the king caused them to be confirmed by the pope's bull, which was published throughout all the counties of the kingdom. During this second session, Richard caused a numerous guard of the militia of Cheshire to be brought to Shrewsbury; and as the gentlemen of the county expressed a strong inclination to serve him, he erected it into a principality.

The English historians of these times abound with catalogues of reversals: every thing appeared to be in fluctuation and motion; one faction was continually what was established by another: and the multiplied oaths which each party exacted for the security of the present acts, betray an undoubted consciousness of their instability. We may also observe, that the violent methods practised by Richard to attain to arbitrary power, we mean the force put upon elections, and the opinions of the judges, was exactly copied in latter times by one of his successors, who had, without doubt, the same intention. But we may add, that the attempts of these two monarchs served only to bring on their own destruction, and that their designs came to the same catastrophe. This is what we shall shortly see with regard to Richard II.

Towards the end of the year 1398, Richard gave a convincing proof that he had no inclination to keep measures with his subjects, which he might think any way derogatory to the regal prerogative, on occasion of a quarrel between two of the principal lords of his court. The duke of Hereford, eldest son of the duke of Lancaster, daunted by the examples of the duke of Gloucester his uncle, and of the other lords whom the king had sacrificed to his resentment, made it the height of his ambition, to keep in his favour, and endeavoured by all means to avoid giving him any cause of suspicion. It was apparently from this consideration, that fearing the duke of Norfolk had laid a snare for him in speaking to him of the king in a very disrespectful manner, he informed Richard of the matter. Mowbray, duke of Norfolk, having denied the charge, and the duke of Hereford maintaining his accusation, it was ordered, that the business should be decided according to the laws of knighthood, that is, by single combat†. Coventry was appointed for the place of decision, at which the king would be present in person. But just as the two dukes were preparing for action, the king, on pretence of avoiding the shedding of blood, but in reality to get rid of them both at once, commanded them to proceed no farther. Then, although there could be but one of them guilty, he banished them both, the duke of Norfolk for life, and the duke of Hereford for ten years. The former died shortly after at Venice, and the other retired to France.

Shortly after the duke of Hereford's banishment, the duke of Lancaster his father died, little regretted by the people, and still less by the king, who dreaded his power. By the death of this prince, his honours and estates, which were very considerable, fell to the duke of Hereford his son, to whom, before he went away, the king had remitted four years of his banishment, granting him at the same time letters patent, by which he was empowered, though in exile, to take possession by proxy,

\* He was first made marquis of Dorset; but his title was afterwards changed into marquis of Somerset, by a new charter of creation, bearing the same date with the former. Nevertheless, though his first title was cancelled, he was always called marquis of Dorset. Dugdale.

† Polydore Virgil, and others, who say that the duke of Norfolk accused the duke of Hereford of having spoken ill of the king, were mistaken. See the Acts of Parliament, 21 of Richard II. Collier has likewise fallen into this mistake, p. 603, Vol. 1.



of the fiefs which should happen to fall to him in his absence, with a suspension of homage till his return. Notwithstanding, immediately upon the death of the duke his father; the king, by a sentence no less unjust than the former, decreed that his banishment should be perpetual, and confiscated all his estate\*. By such like acts of despotic power, the laws and liberties of England were reduced to a deplorable condition. The dukes of Lancaster and Gloucester, and the earl of Arundel being dead, Warwick sent off the archbishop of Canterbury, and the dukes of Hereford and Norfolk in exile; there was scarce a man in the kingdom able to make head against the arbitrary power the king had usurped. The duke of York, the king's uncle, was the only person who could have defended the nation's interests; but as he was a great lover of his ease, he would not take the pains such an undertaking required. Richard now being above all restraint, gave himself up to an effeminate life, without troubling himself about the good of the public. In the mean time, his ministers, little qualified for the posts they possessed, beheld without the least concern, the English nation falling into the utmost contempt. The Scots frequently broke the truce, by incursions into the borders, being certain that the court of England would give them no disturbance. What England had held in France was almost reduced to nothing, and the places which might one day serve to repair these losses had been sold for inconsiderable sums. The merchant ships were daily plundered by the corsairs of France, and the Low Countries, and no one endeavoured to protect the trade. Amidst these disorders, the ministers, of whom the earl of Wiltshire was the chief, sought nothing but the augmentation of the king's revenue, by loans, new taxes, and other less legal ways. The question was not to seek pretences to demand subsidies; all that the ministers troubled themselves about, was how to find speedy and effectual means to extort money from the people, to whom they would have thought they did too great honour to demand it. At length, having practised divers expedients, as unjust as extraordinary, to supply the king's prodigious expence, and satisfy the avarice of his ministers, a method was used which could not fail of procuring large sums. As the late parliament had annulled the pardon, granted in 1386, to the adherents of the duke of Gloucester, accusations were brought against such as had then taken arms in behalf of the duke. By the judgements which were given upon these accusations, seventeen counties were condemned as guilty of treason, and the estates of all the inhabitants were adjudged to the king†. In this extremity, the richer gentlemen and burghers were constrained, in order to prevent their estates from being seized, to give blank bonds, which the king caused to be filled up with what sums he was pleased to exact from each. By what was inserted in these bonds, which were termed ragmans, every one bound himself under great penalties, to stand by the statutes of the Shrewsbury-parliament, and by all that had been done in consequence of them; that is, they entirely threw themselves upon the mercy of the king and his creatures.

Whilst England was exposed to these calamities, and its inhabitants daily robbed by an avaricious crew, the Irish, contemning the small number of troops Richard

had left in their country, took up arms with one consent. Roger Mortimer,‡ earl of March, governor of Ireland, made head against the rebels, and was slain in the first onset. Richard having received the news of the Irish revolt, resolved to go in person and chastise the rebels. Pursuant to this resolution, he levied a numerous army, which furnished him with a fresh occasion to exact great sums from his subjects. This increased the hatred which the English already entertained against their sovereign, and was the occasion of the calamities England was soon after involved in, and which we are about to relate.

When Richard was ready to embark, some suspicions, instilled into him against the earl of Northumberland, governor of the northern counties, made him send him a positive order to join him without delay. But the earl having excused himself because his presence was absolutely necessary in those parts, the king without any further examination, pronounced him traitor, and ordered all his estate to be seized. Then having left the regency of the kingdom to the duke of York his uncle, he set sail, and arrived on the 31st of May 1399, at Waterford, from whence he marched to Dublin. He was attended by the sons of the duke of Lancaster by his third wife, and by those of the late duke of Gloucester, whom he carried with him as hostages, and had taken with him the best part of his jewels, as if he had foreseen he should never enter into his palace again. He made at first some progress against the rebels, and in several encounters gave marks of his valour.

Whilst Richard flattered himself by the advantages he gained over the Irish, a conspiracy was forming in England to deprive him of the crown. Under an arbitrary government, such as Richard's, there were without doubt vast numbers of malecontents. Some persons indeed reap great benefit from the absolute power of the prince, but they are far from being the majority: so that, although a king of this character is commonly surrounded by a croud of flatterers, who constantly endeavour to persuade him, that the tyrannic yoke is borne with patience and resignation by the people, if he has any knowledge of the world, he ought to consider, that there is no preserving the power acquired by force, but by the same way it was usurped. And if he is so unwise as to confide in subjects he has violently oppressed, in vain does he expect from them a fidelity which serves only to increase their misery. This is what Richard found by experience; who, by an imprudent security, left his kingdom, and carried all his forces into Ireland, at a time when the hatred of the people against him was at the greatest height. His enemies, as we may readily imagine, failed not to take the advantage of his absence. Hardly was he set out for Ireland, with almost all the lords devoted to him, but the malecontents who were in England, began to think of means to dethrone him. To that end, after several conferences together, they sent word to the archbishop of Canterbury, who upon his banishment had retired into France, that all England was ready to rise, and that nothing was wanting but a person of distinction to head the malecontents. That upon mature deliberation, they thought no one so proper as the duke of Hereford §, for whom the people had a great esteem and affection, and who moreover had a very plausible

\* We gather from the records, from Tyrrel, and from Hume, that Richard, by the authority of parliament, seized and tried the duke's attorney, who had procured and insisted on the letters, and had him condemned as a traitor for *faithfully executing that trust to his master*. This, says Hume, was "an extravagant act of power! even though the king changed, in favour of the attorney, the penalty of death into that of banishment."

† See Rapin, book IX.

‡ This earl, who had been declared by an act of parliament heir apparent of the crown, left two sons, Edmund and Roger, the eldest of whom succeeded him in his honour of earl of March, and died without issue, as well as Roger his brother. But the marriage of Ann their sister with the second son of the

duke of York, proved a fertile source of troubles which long afflicted the kingdom. Rapin.

§ He was connected with most of the principal nobility by blood, alliance, or friendship; and as the injury done him by the king might, in its consequence, affect all of them, they were easily brought, by a sense of common interest, to take part in his resentment. The people, justly dissatisfied with many parts of the king's conduct, easily transferred to Henry that attachment, which the death of the duke of Gloucester had left without any fixed direction. His misfortunes were lamented; the injustice which he had suffered was complained of; and all men turned their eyes towards him, as the only person that could retrieve the lost honour of the nation, or redress and suppress abuses in the government.



pretence to take arms, to demand satisfaction for the injuries done him: that if the duke would repair into England, they engaged to assist him to the utmost of their power; and that, in the temper the English then were, there was no doubt but they would join those who were willing to undertake to free them from the oppression they groaned under. The archbishop, who was himself extremely provoked against the king, having communicated the letter to the duke, he resolved to lay hold of this opportunity, and return to England. But like a wise prince, he was sensible he could not carry on this enterprize by himself, and took care to secure a retreat if England should not be so ripe for rebellion as he was informed. Pursuant to this resolution, he privately repaired into Bretagne, where he fitted out three ships, and embarked in company with the archbishop of Canterbury, and about fourscore men, among whom there were not above sixteen or eighteen lancers. With this small force he set sail, and landed at Ravenspur in Yorkshire, in the beginning of July, where the earl of Northumberland and Henry Percy his son, immediately joined him with some troops. After which the concourse of people who flocked in crowds to enlist under his banners was so great, that in a few days his army amounted to threecore thousand men. So eager were the nobles and people to put themselves under the protection of a prince who stood himself in so great need of their assistance.

The duke of York, who was appointed regent of the kingdom during the king's absence, as soon as he received intelligence of the duke's landing, called a council to consult about the measures necessary to be taken on so unexpected an insurrection. But the news which came every hour of the increase of the duke's forces, and the disposition of the kingdom, quickly put the counsellors, among whom there were few persons of abilities, out of all hopes of being able to remedy the evil. In this perplexity, not knowing what course to take, they committed a fatal blunder, in resolving to quit London, and retire to St. Albans. This imprudent step was extremely prejudicial to the king's affairs. The lords of the council were no sooner gone from London, but the citizens, no longer restrained by the presence of those who represented the person of the king, declared for the duke, and such towns as had not yet ventured to proceed so far, followed the example of the metropolis.

In the mean time the duke, who, upon his arrival in England, had taken the title of duke of Lancaster, published a manifesto, wherein, without showing he had any design upon the crown, he set forth that he had taken arms merely to get satisfaction for all the injustices done him. This manifesto had so good an effect, that when the regent would have issued out commissions to levy troops, he hardly found any body willing to accept them. Every one declared, that they should take care not to oppose the lawful pretensions of a prince who had been so unjustly oppressed. This refusal having convinced the earl of Wiltshire, and the rest of the ministry, that they were so far from being able to support their authority, that they ran the hazard of being sacrificed to the public hatred, they deserted the duke of York, and retired to Bristol castle. After the flight of the counsellors, the regent perceiving there was no stemming the torrent, threw up the care of the public affairs, and withdrew to his own house, leaving the kingdom, like a ship exposed to the winds and waves, without pilot or mariners. All the other lords, who had as yet stood neuter, openly declared for the duke.

The duke resolved to lose no time, and therefore marched with all speed to London, whither the citizens had invited him. He was received with all the demonstrations of zeal and affection which could be given by a people incensed against their sovereign, and looking upon themselves as delivered from tyranny. But

how pleasing soever these honours done him by the Londoners might be, he staid no longer than was necessary to secure their allegiance, and marched to Bristol. Upon his arrival there, the gates were opened, and the people received him with joy; he commanded the castle whither the counsellors had retired to be assaulted. The siege was pushed so vigorously, that in four days the besieged were obliged to surrender at discretion. The people's fury against the earl of Wiltshire and his companions was so violent, that the duke thought he could not refuse them the satisfaction to see these ministers sacrificed to their vengeance. So that, not considering the power he assumed was still more illegal than the king's usurpations, he ordered the earl of Wiltshire, together with Sir John Bushy and Sir Henry Green, to be beheaded, to satisfy the people, who loudly called for their death; so that, without even the form of a trial, they were led to execution. The success of this expedition made the whole kingdom espouse the duke's cause, and shortly after the duke of York, his uncle, assisted him with his councils.

As soon as Richard, who was still in Ireland, received intelligence of the duke of Lancaster's descent, he ordered his brothers, with the duke of Gloucester's sons, to be imprisoned, and resolved to go over immediately into England, with design to give his enemy battle. Richard being determined, by the advice of the duke of Albemarle, to stay some days longer in Ireland, sent the earl of Salisbury before to levy troops in Wales, assuring him he would not be long after him. The earl used such expedition, that in a few days he drew together an army of forty-thousand men, the Welsh and Chester men having zealously taken arms for the king. Richard would, without doubt, have come to England, but was detained eighteen days by contrary winds. During that time a rumour being spread in the earl of Salisbury's army, that the king was dead in Ireland, the troops would have disbanded themselves; and the earl with great difficulty prevailed with them to stay a few days, in order to have certain news from the king. This delay being expired, and Richard not appearing, the Welsh and Chester men deserted their colours, and returned to their homes. Richard, however, landed a few days after, and as he did not know that the earl of Salisbury's army was dispersed, he marched towards Caermarthen thinking to meet them; but when he heard that they had disbanded themselves, and that all the nobility had declared against him, that his ministers had lost their heads at Bristol, and that the people ardently espoused the duke of Lancaster's quarrel, he was wholly at a loss what measure to pursue, all that were proposed to him appearing equally dangerous. The officers and soldiers would have had him put himself at their head, and give his enemy battle. They promised to stand by him to the end, and put him in hopes that his army would increase in his march, by the coming in of those whom force, or the belief of his death, had made to desert him. Some advised him to return to Ireland, and fortify himself there. Others were of opinion, that the wiser way would be to take refuge in France, with the king his father-in-law, till a more favourable opportunity might offer for his return to his dominions. Amidst these uncertainties, the unfortunate king, incapable of choosing the best advice, and having about him none but such as wanted courage or capacity, could not fix upon any resolution. And yet, as he distrusted every body, he could not long remain in a state which seemed to him so dangerous; so that on a sudden, without communicating his design to any one, he privately withdrew from his army in the night, and shut himself up in Conway castle, which was esteemed impregnable, but at that time unprovided with every kind of necessary. He had no sooner disappeared, but lord Thomas Percy, earl of Worcester, master of the household, broke his white staff\* before

\* The officer of the king's household carry a white staff as a badge of their office, and when they break it, their authority

ceases, and those that are under them are discharged from their office. Rapin.



the king's domestics, and went to meet the duke of Lancaster, who was advancing towards Chester at the head of his army.

Richard was almost alone in the castle he had pitched upon for his sanctuary, without any prospect of being able to defend himself, and was fearful, in case he attempted to save himself by flight, of falling into the hands of an enraged people, who gave him but too many proofs of their hatred. Thus reduced to extremity, he saw no other remedy but to throw himself upon the generosity of his enemy. He sent him word by one of his attendants, that he was ready to submit to what terms he himself should judge reasonable, and desired him to send some body to confer with him. The duke immediately dispatched the archbishop of Canterbury and the earl of Northumberland, both enemies to the king, to know his mind. In the short conference Richard held with these deputies, he offered, if his life was secured, with an honourable pension for himself and eight persons he should name, to resign his crown, and be content to pass the residue of his days in a private station. The deputies gave him hopes that his offer would be accepted, and he desired to confer with the duke himself. To that purpose he went to Flint, which is not above ten miles from Chester, where the duke was then arrived. Next day the duke, without hesitation, went to the king, who said to him with a cheerful countenance: "Noble cousin, you are welcome home." "I am come," answered the duke, "sooner than you desired, upon information of the complaints which the nation makes against your government; but, by God's grace, I will put things in a better order for the time to come." "Your will is mine," replied the king\*. The two princes repaired the same day to Chester, where they lodged, and from whence they set out together for London.

Upon their approach, the Londoners execrated the conduct of Richard, and extolled that of Henry. The king was immediately conducted to the Tower, and there confined, whilst the duke conferred with his friends, concerning the measures necessary to be taken, in order to complete their work. One cannot without wonder, as Rapin justly says, reflect on the suddenness of this revolution, and the expedition wherewith the duke of Lancaster traversed so many counties. If we consider, that in forty-seven days he marched from Ravenspur, in Yorkshire, where he landed, to London, Bristol, Chester, and from thence back to London, we shall be hardly able to conceive, that an army of sixty thousand men could possibly run over so much ground in so short a space of time.

As soon as the king was in the power of the duke, he caused him to summon a parliament at Westminster, on the 6th of October, that no time might be lost. In the conferences he had with his friends, before the parliament met, the question was not so much to know what was to be done, since the placing him upon the throne was resolved upon, but the manner they were to proceed in the execution of their design. Some were for having him take possession upon the

bare promise Richard had made of resigning his crown. Others thought that the promise appeared too much constrained to be able to ground a right upon it, especially as there was a nearer heir than the duke. That was Edmund Mortimer, earl of March, son of the Roger who was declared presumptive heir of the crown. The truth is, he was descended from Lionel, duke of Clarence, second son of Edward III; whereas the duke of Lancaster was son of John, younger brother of Lionel. So that by Richard's resignation, the duke of Lancaster had no right to claim the crown. For this reason they added, that as there was an absolute necessity of setting aside the law, the authority of parliament was positively requisite. Hence they concluded, that Richard must be formally deposed, and the duke elected by the same authority. This advice had likewise its difficulties, as it ascribed to the parliament a power to dispose of the crown, contrary to the laws and customs, to the prejudice of the lawful heir, to whom nothing could be objected that might weaken his title. At length, after many debates upon this capital matter, the duke of York's opinion was to unite the three ways proposed, in order to render what they had resolved to do the more valid. In the first place, Richard should be obliged to make an absolute resignation. Secondly, The parliament should proceed to depose him before the crown was disposed of. Lastly, These two steps being made, and the throne declared vacant, the two houses of parliament, in consideration of the great services the duke of Lancaster had done the state, should adjudge him the crown by the supreme authority, which in extraordinary cases was vested in them, paramount to all laws; this advice was unanimously approved. Thus, says Rapin, in punishing a king for having set himself above the laws, a power was given the parliament no less contrary to them. So difficult it is, on such occasions, to keep within the bounds of justice and equity. This expedient, then thought proper to restore peace to the kingdom, proved the real source of the calamities which afflicted the nation afterwards, when these violent proceedings seemed to be entirely forgotten. The descendants of the duke of York, the first broacher of this project, found it their interest to destroy the foundation on which it was built, and maintain that the parliament had exceeded their power in transferring the crown to the house of Lancaster.

In pursuance of the resolutions of the duke of Lancaster and his friends, he repaired to the Tower, attended by a great number of lords; where in the presence of them all, Richard delivered up the crown and scepter, with the other ensigns of royalty, and by an instrument signed with his own hand, confessed himself unworthy and unfit to govern the kingdom any longer. On the day following, the instrument of resignation was brought in and approved of by unanimous consent. But as this resignation alone, according to the measures agreed upon, did not appear sufficient, the two houses ordered that articles of accusation against Richard should be drawn up, to serve for authorities whereon they were to ground his deposition †.

The

\* Some add, that Richard intreated the duke in very submissive terms, not to touch his life, in consideration of his having spared his brothers, whom he was satisfied with confining in Ireland, and that the duke gave him a positive promise, he would not. There are historians who say, that Richard was betrayed by the earl of Northumberland, who having induced him to demand this conference, laid an ambush for him in the way, and carried him prisoner to the duke. Rapin.

† The substance of the articles was as follows:

I. That Richard had, without judgement and discretion, lavished away the revenues of the crown, and put the administration of the public affairs in the hands of unexperienced and ill-designing persons, to the great damage of the people, who were loaded with excessive taxes.

II. That he had without any ground impeached of treason, and unjustly punished the commissioners, appointed by parliament to take care of the government of the realm.

III. That he had compelled the judges to give opinions

contrary to the law, in order to condemn the earls of Arundel and Warwick, and several other persons.

IV. That he had caused the duke of Gloucester, his uncle, to be put to death by strangling, without a legal process.

V. That he had levied troops in Lancashire and Cheshire, in order to make war upon these three lords, and allowed his soldiers to commit all manner of outrages with impunity.

VI. That although, by a proclamation, he had declared that the said lords were apprehended only for slight misdemeanors, he had caused them to be condemned as guilty of high-treason.

VII. That he had exacted from divers counties exorbitant fines for the very crimes which he had pardoned.

VIII. That he had hindered the public affairs from being communicated to the commissioners appointed by the parliament to take care of the government.

IX. That he had forbid all persons, on pain of death, to petition for any favour toward Henry, duke of Lancaster.

X. That



The articles being drawn up, were, to the number of thirty-three, as appears by the roll of parliament, laid before that assembly, and unanimously declared to be well-grounded and publicly known, whereupon it was pronounced, that Richard should be deposed. At the same time, commissioners were appointed to give him notice of his deposition, and to annul the oaths and homage of the people of England, nearly in the same manner as was done with regard to Edward II. This affair being thus settled, and the throne being vacant, the duke of Lancaster rose up, and after crossing himself, claimed the crown. He built his pretensions "upon his being descended from Henry III. and upon the right he had received from God, by the assistance of his relations and friends for the recovery of his realm of England, which was upon the brink of destruction \*."

It was not without reason that he affected to make use of obscure expressions, which left undetermined the foundation on which he built his pretended right. If he seemed to derive his claim from Henry III. rather than from Edward III. his grandfather, it was because there had been a rumour among the people, that Edmund, earl of Lancaster, surnamed Crook-Back, was eldest son of Henry III. but by reason of his deformity, Edward I. his younger brother was placed on the throne. According to this supposition, the duke would have made the ignorant believe, that he could ground his title upon his being son of Blanch of Lancaster, granddaughter of Edmund Crook-Back, and heiress of that family. But the absurdity was too gross to be openly avowed, either by Henry or by the parliament.

It having been resolved to adjudge the crown to the

duke, the parliament did not examine Henry's claim too closely, but were willing to suppose it incontestible. Thus without any regard to the just right of the earl of March, it was decreed, that Henry of Lancaster should be proclaimed king of England and France, and lord of Ireland, which was accordingly done on the 30th of September. Thus ended the reign of Richard II. after it had continued upwards of twenty-two years.

Richard was without doubt, a very weak prince, and unfit for the government of a nation, less for want of natural parts and capacity, than of solid judgement. He was violent in his temper; profuse in his expences; fond of idle shew and magnificence; devoted to favourites; and addicted to pleasure; passions, all of them, the most inconsistent with a prudent œconomy, and consequently dangerous in a limited and mixed government. During some part of his reign justice was wholly neglected, especially in state affairs; and the lives of the chief nobility were sacrificed. These enormities seem to have proceeded less from a settled design, according to Hume, of establishing arbitrary power, than from the insolence of victory, and the necessities of the king's situation. Richard's fondness for pomp and shew carried him beyond all œconomical bounds. He lived in a more magnificent manner than perhaps any of his predecessors or successors. His household consisted of ten thousand persons †: he had three hundred in his kitchen; and all the other offices were furnished in a proportionate manner. The tables for this enormous train were supplied at the king's expence; which prodigality was probably the source of many exactions, and the reason of many of the subjects being in a state of discontent.

X. That although he held the crown of God, and not of the pope, he had procured bulls from the court of Rome, to ratify the acts of parliament made in his favour.

XI. That he had banished the duke of Hereford, though the duke was ready to make good his accusation against the duke of Norfolk, according to the laws of the land.

XII. That although by his letters patents, he had granted the now duke of Lancaster the liberty of taking possession, by his attorney, of the fiefs which should fall to him in his absence, he would not suffer any person to appear for him.

XIII. That he had turned out several sheriffs, and substituted others in their room by his sole authority, contrary to the laws of the laws.

XIV. That he had borrowed several large sums, and had never repaid them.

XV. That he had laid taxes upon his subjects by his own authority; by which he oppressed his people, and impoverished his kingdom.

XVI. That he had frequently said "That the laws were only in his mouth and breast; and that he only could make and change the laws of the kingdom." That in consequence of this wild maxim, he had taken away the lives of several persons, and ruined abundance of his subjects.

XVII. That he had extorted from the parliament an act, whereby it was enacted, that no statute should be more prejudicial to him than to his predecessors; from whence he had taken occasion to explain the acts of parliament, according to his own fancy, and not according to the intent of the two houses.

XVIII. That contrary to the laws of the land, he had suffered the sheriffs to continue in their office above one year.

XIX. That by his sole authority, he had voided the elections of members of parliament, and put others in their room.

XX. That he had kept spies in town and country, to inform him of the complaints made against his government, and that these same complaints had served him for pretence to levy excessive fines upon several private persons.

XXI. That he might supplant his people, and get their estates to enrich himself, he caused the people of sixteen counties, by letters under their seals, to submit to him as traitors; so that he extorted vast sums of money from them to procure his favour.

XXII. That before his going to Ireland, he had exacted great sums from the clergy, and compelled the churches to give him up their plate.

XXIII. That by threats he had hindered the judges of the realm and the members of his council to speak the truth, though they were obliged to it by oath.

XXIV. That he had carried into Ireland, the crown, jewels, and records of the kingdom.

XXV. That in his negotiations with foreign princes, he had used so many equivocations and shifts, that none of them would take his word any longer.

XXVI. That he had said several times, "That the life of every subject, his lands, tenements, goods, and chattels, were his, to be disposed as he pleased without forfeiture;" which was altogether against the laws and customs of his kingdom.

XXVII. That contrary to the tenor of Magna Charta, he had suffered that the cases which ought to have been tried by common law, were decided by military laws. That under colour that these laws, upon certain occasions, allowed single combats, he had permitted strong and robust men, to challenge such as were worn out with old age: and that in case they refused to expose themselves to so unequal a duel, he had given the cause for the others.

XXVIII. That he had forced several of his subjects to take in general terms oaths, which he afterwards explained to their detriment and ruin.

XXIX. That he had granted under his privy-seal prohibitions, to which the chancellor refused to put the great seal, because they were contrary to law.

XXX. That he had banished without cause the archbishop of Canterbury, and without a previous trial; that he had even ordered him to be guarded by soldiers, in the place where the parliament was assembled.

XXXI. That he had not granted the temporalities of the bishoprics, but upon condition, that the bishops elect should bind themselves by oath to stand by the statutes of the Shrewsbury parliament.

XXXII. That he swore upon the venerable sacrament of the Lord's body placed upon the altar, that his uncle, the duke of Gloucester, might trust and have confidence in him; that he would pardon unto him all things which were said to be committed against his person, and that he should never receive any damage for them; and that he afterwards caused him to be cruelly murdered.

XXXIII. That when the archbishop of Canterbury was impeached, he persuaded him not to appear, by assuring him he would himself be security for him, and afterwards banished him for non-appearance.

\* He claimed the crown in the form following: "In the name of Fader, Sonne, and Holy Ghost, I Henry of Lancaster, challenge this rewme of Yngland, and the crowne with all the membres and the appurtenances, als that I descendit be ryght lyne of the blode coming fro the gude lord king Henry therde, and thorghe that ryght that God of his grace hath sent me, with help of kyn and of my frends to recover it; the which rewme was in poynt to be ondone for de faut of governance, and undoying of the gude lawes." See Rotul. Parl. 1 Hen. IV. n. 53. † See p. 304.

APPENDIX.



## APPENDIX TO BOOK IV.

## No. I.

*Of the FEUDAL GOVERNMENT.*

**I**T is acknowledged by all historians of credit, that the feudal law is the chief foundation, both of the political government and of the jurisprudence established by the Normans in England. After the northern nations had subdued the provinces of the Roman empire, they were obliged to establish a system of government which might secure their conquests, as well against the revolt of their numerous subjects who remained in the provinces, as from the inroads of other tribes, who might be tempted to wrest from them their new acquisitions. The great change of circumstances made them here depart from those institutions which prevailed among them while they remained in the forests of Germany, yet was it still natural for them to retain, in their present settlement, as much of their ancient customs as was compatible with their new situation.

The German governments, being more a confederacy of independent warriors than a civil subjection, derived their principal force from many inferior and voluntary associations, which individuals formed under a particular head or chieftain, and which it became the highest point of honour to maintain with inviolable fidelity. The glory of the chief consisted in the number, the bravery, and the zealous attachment of his retainers: the duty of the retainers required that they should accompany their chief in all kinds of dangers, even in war; that they should fight and perish by his side, and that they should esteem his renown or his favour a sufficient recompence for all their services\*. The prince himself was nothing but a great chieftain, who was chosen from among the rest, on account of his superior valour or nobility; and who derived his power from the voluntary association or attachment of the other chieftains or heads.

When a tribe, governed by these ideas, and actuated by these principles, subdued a large territory, they found that though it was necessary to keep themselves in a military posture, they could neither remain united in one body, nor take up their quarters in several garrisons, and that their manners and institutions debarred them from using these expedients; the obvious ones, which in a like situation would have been employed by a more civilized nation. Their ignorance in the art of finances, and perhaps the devastations inseparable from such violent conquests, rendered it impracticable for them to levy taxes sufficient for the pay of numerous armies; and their repugnance to subordination, with their attachment to rural pleasures, made the life of the camp or garrison, if perpetuated during peaceful times, extremely odious and disgusting to them. They seized, therefore, such a portion of the conquered lands as appeared necessary; they assigned a share for supporting the dignity of their prince and government; they distributed other parts, under the title of fiefs, to the chiefs; these made also a new partition among their retainers: the express condition of all these grants was, that they might be resumed at pleasure, and that the possessor, so long as he enjoyed them, should still remain in readiness to take the field for the defence of the nation. And though the conquerors immediately separated, in order to enjoy their new acquisitions, their martial disposition made them readily fulfil the terms of their engagement. They always assembled on the first alarm; their habitual attachment to the chieftain, made them willingly submit to his command; and thus a regular military force, though concealed, was always ready to defend the interest and honour of the community, on any emergent occasion.

We are not to imagine that all the conquered lands were seized by the northern conquerors; or that the whole of the land thus seized, was subjected to those military services. This supposition is confuted by the his-

tory of all the nations on the continent. Even the idea given us of the German manners by Tacitus may convince us that that bold people would never have been content with so precarious a subsistence, or have sought to procure establishments which were only to continue during the good pleasure of their sovereign. Though the northern chieftains accepted of lands which, being considered as a kind of military pay, might be resumed at the will of the king or general; they also took possession of estates which, being hereditary and independent, enabled them to maintain their native liberty, and support, without court favour, the honour of their rank and family.

But there is a great difference, in the consequences between the distribution of a pecuniary subsistence and the assignment of lands burthened with the condition of military service. The delivery of the former at the weekly, monthly, or annual terms of payment, still recalls the idea of a voluntary gratuity from the prince, and reminds the soldier of the precarious tenure by which he holds his commission. But the attachment, naturally formed with a fixed portion of land, gradually begets the idea of something like property, and makes the possessor forget his dependent situation, and the condition which was at first annexed to the grant. It seemed equitable that one who had cultivated and sowed a field should reap the harvest: hence fiefs, which were at first entirely precarious, were soon made annual. A man, who had employed his money in building, planting, or other improvements, expected to reap the fruits of his labour or expence: hence they were next granted during a term of years. It would be thought hard to expel a man from his possessions who had always done his duty, and performed the conditions on which he originally received them: hence the chieftains, in a subsequent period, thought themselves entitled to demand the enjoyment of their feudal lands during life. It was found that a man would more willingly expose himself in battle, if assured that his family should inherit his possessions, and should not be left by his death in want and poverty: hence fiefs were made hereditary in families, and descended, during one age, to the son, then to the grandson, next to the brothers, and afterwards to the more distant relations†. The idea of property stole in gradually upon that of military pay; and each century made some sensible addition to the stability of fiefs and tenures.

In all these successive acquisitions, the chief was supported by his vassals; who, having originally a strong connection with him, augmented by the constant intercourse of good offices, and by the friendship arising from vicinity and dependance, were inclined to follow their leader against all his enemies, and voluntarily, in his private quarrels, paid him the same obedience to which, by their tenures, they were bound in foreign wars. While he daily advanced new pretensions to secure the possession of his superior fief, they expected to find the same advantage, in acquiring stability to their subordinate ones: and they zealously opposed the intrusion of a new lord who would be inclined, as he was fully entitled, to bestow the possession of their lands on his own favourites and retainers. Thus the authority of the sovereign gradually decayed; and each noble, fortified in his own territory by the attachment of his vassals, became too powerful to be expelled by an order from the throne; and he secured by law what he had at first acquired by usurpation.

During this precarious state of the supreme power, a difference would immediately be experienced between those portions of territory which were subjected to the feudal tenure, and those which were possessed by an allodial or free title. Though the latter possessions had at first been esteemed much preferable, they were soon found, by the progressive changes introduced into public

\* *Vid. Tacit. de Moribus Germanicis.*



and private law, to be of an inferior condition to the former. The possessor of a feudal territory, united by a regular subordination under one chief, and by the natural attachment of the vassals, had the same advantages over the proprietors of the other that a disciplined army enjoys over a dispersed multitude; and was enabled to commit with impunity all injuries on his defenceless neighbours. Every one, therefore, hastened to seek that protection which he found so necessary; and each allodial proprietor, resigning his possessions into the hands of the king, or of some nobleman respected for power or valour, received them back with the condition of feudal services\*, which, though a burden somewhat grievous, brought him ample compensation, by connecting him with the neighbouring proprietors, and placing him under the guardianship of a potent chieftain. The decay of the political government thus necessarily occasioned the extension of the feudal: the kingdoms of Europe were universally divided into baronies, and these into inferior fiefs: and the attachment of vassals to the chief, which was at first an essential part of the German manners, was still supported by the same causes from which it at first arose; the necessity of mutual protection, and the continued intercourse, between the head and the members, of benefits and services.

But there was another circumstance which corroborated these feudal dependencies, and tended to connect the vassals with their superior lord by an indissoluble bond of union. The northern conquerors, as well as the more early Greeks and Romans, embraced a policy, which is unavoidable to all nations that have made slender advances in refinement: they every where united the civil jurisdiction with the military power. Law, in its commencement, was not an intricate science, and was more governed by maxims of equity, which seem obvious to common sense, than by numerous and subtil principles, applied to a variety of cases by profound reasonings from analogy. An officer, though he had passed his life in the field, was able to determine all legal controversies which could occur within the district committed to his charge; and his decisions were the most likely to meet with a prompt and ready obedience from men who respected his person, and were accustomed to act under his command. The profit arising from punishments, which were then chiefly pecuniary, was another reason for his desiring to retain the judicial power; and when his fief became hereditary, this authority, which was essential to it, was also transmitted to his posterity. The counts, and other magistrates, whose power was merely official, were tempted, in imitation of the feudal lords, whom they resembled in so many particulars, to render their dignity perpetual and hereditary; and in the decline of the regal power, they found no difficulty in making good their pretensions. After this manner the vast fabric of feudal subordination became quite solid and comprehensive; it formed every where an essential part of the political constitution; and the Norman and other barons, who followed the fortunes of William, were so accustomed to it, that they could scarcely form an idea of any other species of civil government†.

The Saxons who conquered England, as they exterminated the ancient inhabitants, and thought themselves secured by the sea against new invaders, found it less requisite to maintain themselves in a military posture: the quantity of land which they annexed to offices seems to have been of small value; and for that reason continued the longer in its original situation, and was always possessed during pleasure by those who were entrusted with the command. These conditions were too precarious to satisfy the Norman barons, who enjoyed more independent possessions and jurisdictions in their own country; and William was obliged, in the new distribution of land, to copy the tenures, which were now

become universal on the continent. England of a sudden became a feudal kingdom, and received all the advantages, and were exposed to all the inconveniences, incident to that species of civil polity.

According to the principles of the feudal law, the king was the supreme lord of the landed property: all possessors who enjoyed the fruits or revenue of any part of it, held those privileges, either mediately or immediately, of him; and their property was conceived to be, in some degree, conditional‡. The land was still apprehended to be a species of benefice, which was the original conception of a feudal property; and the vassal owed, in return for it, stated service to his baron as the baron himself did for his land to the crown. The vassal was obliged to defend his baron in war; and the baron, at the head of his vassals, was bound to fight in defence of the king and kingdom. But besides these military services, which were casual, there were others imposed of a civil nature, which were more constant and durable.

The northern nations had no idea that any man, trained up to honour, and inured to arms, was ever to be governed, without his own consent, by the absolute will of another; or that the administration of justice was ever to be exercised by the private opinion of any one magistrate, without the concurrence of some other persons, whose interest might induce them to check his arbitrary and iniquitous decisions. The king, therefore, when he found it necessary to demand any service of his barons or chief tenants, beyond what was due by their tenures, was obliged to assemble them, in order to obtain their consent: and when it was necessary to determine any controversy which might arise among the barons themselves, the question must be discussed in their presence, and be decided according to their opinion or advice. In these two circumstances of consent or advice consisted chiefly the civil services of the ancient barons; and these implied all the considerable incidents of government. In one view, the barons regarded this attendance as their principal privilege; in another, as a grievous burden. That no momentous affairs could be transacted without their consent and advice, was in general esteemed the great security of their possessions and dignities; but as they reaped no immediate profit from their attendance at court, and were exposed to great inconvenience and charge by being absent from their own estates, every one was glad to exempt himself from each particular exertion of this power; and was pleased both that the call for that duty should seldom return upon him, and that others should undergo the burden in his stead. The king, on the other hand, was usually anxious, for several reasons, that the assembly of the barons should be full at every stated or casual meeting: this attendance was the chief badge of their subordination to his crown, and drew them from that independence which they were apt to affect in their own castles and manors; and where the meeting was ill attended, its determinations had less authority, and commanded not so ready an obedience from the whole community.

The case was the same with the barons in their courts, as with the king in the supreme council of the nation. It was requisite to assemble the vassals, in order to determine, by their vote, any question which regarded the barony; and they set along with the chief in all trials, whether civil or criminal, which occurred within the limits of their jurisdiction. They were bound to pay suit and service at the court of their baron; and as their tenure was military, and consequently honourable, they were admitted into his society, and partook of his friendship. Thus a kingdom was considered only as a great barony, and a barony as a small kingdom. The barons were peers to each other in the national council, and in some degree companions to the king: the vassals were

\* Marten, Form. 47. apud Lindenbr. p. 1238.

† The ideas of the feudal government were so rooted, that even lawyers, in those ages, could not form a notion of any other constitution.

*Regnum* (says Bracton, lib. 1. c. 34.) *quod ex comitatibus & baronibus dicitur esse constitutum.*

‡ Somner of Gavelk. p. 109. Smith de Rep. lib. 1. c. 10.



peers to each other in the court of barony, and companions to their baron. But though this resemblance so far took place, the vassals, in the natural course of things, universally, in the feudal constitutions, fell into a greater subordination under the baron than the baron himself under his sovereign; and these governments had a necessary and infallible tendency to augment the power of the nobles. The great chief, residing in his country-seat, which he was commonly allowed to fortify, lost, in a great measure, his connection or acquaintance with the prince; and added every day new force to his authority over the vassals of the barony. They received from him education in all military exercises; his hospitalities invited them to live and enjoy society in his hall; their leisure, which was great, made them perpetual retainers on his person, and partakers of his country sports and amusements; they had no means of gratifying their ambition, but by making a figure in his train; his favour and countenance was their greatest honour; his displeasure exposed them to contempt and ignominy; and they felt every moment the necessity of his protection, both in the controversies which occurred with other vassals, and, what was more material, in the daily inroads and injuries which were committed by the neighbouring barons. During the time of general war, the sovereign, who marched at the head of his armies, and was the great protector of the state, always acquired some accession to his authority, which he lost during the intervals of peace; but the loose police, incident to the feudal constitutions, maintained a perpetual, though secret hostility between the several members of the state; and the vassals found no means of securing themselves against the injuries to which they were continually exposed, but by closely adhering to their chief, and falling into a submissive dependence upon him.

If the feudal government was so little favourable to the true liberty even of the military vassal, it was still more destructive of the independence and security of the other members of the state, or what, in a proper sense, we call the people. A great part of them were serfs, and lived in a state of slavery or villanage: the other inhabitants of the country paid their rent in services, which were in a great measure arbitrary; and they could expect no redress of injuries, in a court of barony, from men who thought they had a right to oppress and tyrannize over them: the towns were situated either within the king's demesnes, or the lands of the great barons, and were almost entirely subjected to the absolute will of their master. The languishing state of commerce kept the inhabitants poor and contemptible; and the political constitutions were calculated to render that poverty perpetual. The barons and gentry, living in rustic plenty and hospitality gave no encouragement to the arts, and had no demand for any of the more elaborate manufactures; every profession was held in contempt but that of arms; and if any merchant or manufacturer rose by industry and frugality to a degree of opulence, he found himself but the more exposed to injuries from the avidity of the military nobles.

These concurring causes gave the feudal government so strong a bias towards aristocracy, that the royal authority was extremely eclipsed in all the European states; and, instead of dreading the growth of monarchical power, we might rather expect that the community would every where crumble into so many independent baronies, and lose the political union by which they were cemented. In elective monarchies the event was commonly answerable to this expectation; and the barons, gaining ground on every vacancy of the throne, raised themselves almost to a state of sovereignty, and sacrificed to their power both the rights of the crown,

and the liberties of the people. But hereditary monarchies had a principle of authority which was not so easily subverted; and there were several causes which still maintained a degree of influence in the hands of the sovereign.

The greatest baron could never lose view entirely of those principles of the feudal constitution which bound him, as a vassal, to submission and fealty towards his prince; because he was every moment obliged to have recourse to those principles in exacting fealty and submission from his own vassals; the lesser barons, finding that the annihilation of royal authority left them exposed without protection, to the insults and injuries of more potent neighbours, naturally adhered to the crown, and promoted the execution of general and equal laws. The people had still a stronger interest to desire the grandeur of the sovereign; and the king, being the legal magistrate, who suffered by every internal convulsion or oppression, and who regarded the great nobles as his immediate rivals, assumed the salutary office of general guardian or protector of the commons. Besides the prerogatives with which the law invested him, his large demesnes and numerous retainers rendered him, in one sense, the greatest baron in his kingdom; and where he was possessed of personal vigour and abilities, (for his situation required these advantages,) he was commonly able to preserve his authority, and maintain his station as head of the community, and the chief fountain of law and justice.

The first kings of the Norman race were favoured by another circumstance, which preserved them from the encroachments of their barons. They were generals of a conquering army, which was obliged to continue in a military posture, and to maintain great subordination under their leader, in order to secure themselves from the revolt of the numerous natives, whom they had bereaved of all their properties and privileges. But though this circumstance supported the authority of William and his immediate successors, and rendered them extremely absolute, it was lost as soon as the Norman barons began to incorporate with the nation, to acquire a security in their possessions, and to fix their influence over their vassals, tenants, and slaves. And the immense fortunes which the Conqueror had bestowed on his chief captains, served to support their independence, and make them formidable to the sovereign.

He gave, for instance, to Hugh de Abrincis, his sister's son, the whole county of Chester, which he erected into a palatinate, and rendered by his grant almost independent of the crown\*. Robert, earl of Mortaigne, had nine hundred and seventy-three manors and lordships: Allen, earl of Bretagne and Richmond, four hundred and forty-two: Odo, bishop of Bayeux, four hundred and thirty-nine†: Geoffrey, bishop of Coutance, two hundred and eighty‡: Walter Giffard, earl of Buckingham, one hundred and seven: William, earl of Warrenne, two hundred and ninety-eight; besides twenty-eight towns or hamlets in Yorkshire: Tedenci, eighty-one: Roger Bigod, one hundred and twenty-three: Robert, earl of Eu, one hundred and nineteen: Roger Mortimer, one hundred and thirty-two; besides several hamlets: Robert de Stafford, one hundred and thirty: Walter de Eurus, earl of Salisbury, forty-six: Geoffrey de Mandeville, one hundred and eighteen: Richard de Clare, one hundred and seventy-one: Hugh de Beauchamp, forty-seven: Baldwin de Ridvers, one hundred and sixty-four: Henry de Penars, two hundred and twenty-two: William de Percy, one hundred and nineteen§: Norman d'Arcy, thirty-three. Sir Henry Spelman computes, that in the large county of Norfolk there were not, in the Conqueror's time,

\* Camd. in Chesh. Spelm. Gloss. in verb. *Comes Palatinus*.

† Brady's Hist. p. 198, 200.

‡ Order. Vital.

§ Dugdale's Baronage, from Domesday Book, Vol. 1, p. 60. 74. 111. 112, 132, 136, 138, 156, 174, 200, 207.

223, 254, 257, 269.

|| Ibid. p. 369. It is remarkable, that this family of d'Arcy seems to be the only male descendants of any of the Conqueror's barons now remaining among the peers. Lord Holdernesse is the heir of that family.



above sixty-six proprietors of land \*. Men, possessed of such princely revenues and jurisdictions, could not long be retained in the rank of subjects. The great earl Warrenne, in a subsequent reign, when he was questioned concerning his right to the lands which he possessed, drew his sword, which he produced as his title; adding, that William the Bastard did not conquer the kingdom for himself; but that the barons, and his ancestor among the rest, were joint adventurers in the enterprize †.

The supreme legislative power of England was vested in the king and great council, or what was afterwards called the parliament. It is not doubted but the archbishops, bishops, and most considerable abbots, were constituent members of this council. They sat by a double title: by prescription, as having always possessed that privilege, through the whole Saxon period, from the first establishment of Christianity; and by their right of baronage, as holding of the king *in capite* by military service.

These two titles of the prelates were never accurately distinguished. When the usurpations of the church had risen to such a height, as to make the bishops affect a separate dominion, and regard the seat in parliament as a degradation of their episcopal dignity, the king insisted that they were barons, and on that account obliged, by the general principles of the feudal law, to attend on him in his great councils ‡. Yet there still remained some practices, which supposed their title to be derived merely from ancient possession: when a bishop was elected, he sat in parliament before the king had made him restitution of his temporalities; and during the vacancy of a see, the guardian of the spiritualities was summoned to attend along with the bishops.

The barons were another constituent part of the great council of the nation. These held immediately of the crown by a military tenure: they were the most honourable members of the state, and had a right to be consulted in all public deliberations: they were the immediate vassals of the crown, and owed, as a service, their attendance in the court of their supreme lord. A resolution taken without their consent was likely to be but ill executed: and no determination of any cause or controversy among them had any validity where the vote and advice of the body did not concur. The dignity of earl or count was official and territorial as well as hereditary; and as all the earls were also barons, they were considered as military vassals of the crown, were admitted in that capacity into the general council, and formed the most honourable and powerful branch of it. But there was another class of the immediate military tenants of the crown, no less, or probably more, numerous than the barons, the tenants *in capite* by knight's service; and these, however inferior in power or property, held by a tenure which was equally honourable with that of the others. A barony was commonly composed of several knights' fees; and though the number seems not to have been exactly defined, seldom consisted of less than fifty hydes of land §: notwithstanding where a person held of the king only one or two knights' fees, he was still an immediate vassal of the crown, and as such had a title to sit in the general councils. As this attendance was usually deemed a burden, much too great for a man of slender fortune to bear constantly, it is probable that, though he had a title, if he pleaded, to be admitted, he was not obliged, by any penalty, like the barons, to pay a regular attendance. All the immediate military tenants of the crown amounted not fully to seven hundred, when *Domesday-Book* was framed; and as the members were well pleased, on any pretext, to excuse themselves from attendance, the assembly was never

likely to become too numerous for the dispatch of public business.

## No. II.

*Of the COMMONS of ENGLAND.*

WITH regard to the commons of England, many and various have been the opinions of great and learned men; but to us the only necessary question concerning the commons seems to be, whether they were, in the more early times, constituent parts of the national parliament? This question has occasioned much controversy, and the dispute about the antiquity of the commons has been carried on with great warmth and acrimony: but such is the force of time and evidence, that they can sometimes prevail even over faction; and the question appears, by general consent, and even by their own, to be at last determined against the ruling party. It is agreed that the commons were no part of the great council of the nation, till some ages after the conquest; and that the military tenants alone of the crown composed that supreme and legislative assembly.

The vassals of a baron were by their tenure immediately dependent on him, owed attendance at his court, and paid all their duty to the king, through that dependence which their lord was obliged, by his tenure, to acknowledge to his sovereign and superior. Their land, comprehended in the barony, was represented in parliament by the baron himself, who was supposed, according to the fictions of the feudal law, to possess the direct property of it, and it would have been deemed incongruous to give it any other representation. They stood in the same capacity to him that he and the other barons did to the king: the former were peers of the barony; the latter were peers of the realm: the vassals possessed a subordinate rank within their district; the baron enjoyed a superior dignity in the great assembly: they were, in some degree, his companions at home; he the king's companion at court: and nothing can be more evidently repugnant to all feudal ideas, and to that gradual subordination which was essential to those ancient institutions than to imagine that the king would apply either for the advice or consent of men, who were of a rank so much inferior, and whose duty was immediately paid to the mesne lord that was interposed between them and the throne ||.

If it be unreasonable to think that the vassals of a barony, though their tenure was military, and noble, and honourable, were ever summoned to give their opinion in national councils, much less can it be supposed that the tradesmen or inhabitants of boroughs, whose condition was so much inferior, would be admitted to that privilege. It appears from *Domesday-Book* that the greatest boroughs were, at the time of the conquest, scarcely more than country villages; and that the inhabitants lived in entire dependence on the king or on the great lords, and were of a station little better than servile \*\*. They were not then so much as incorporated; they formed no community; were not regarded as a body politic; and being really nothing but a number of low dependent tradesmen, living without any particular civil tie, in neighbourhood together, they were incapable of being represented in the states of the kingdom. Even in France, a country which made more early advances in arts and civility than England, the first corporation is sixty years posterior to the conquest under the duke of Normandy; and the erecting of these communities was an invention of Louis the Great, in order to free the people from slavery under the lords, and to

\* Vid. Spelm. Gloss. in verb. *Domesday*.

† Dugd. Bar. Vol. 1. p. 79. Ibid Origines Juridicales, p. 13.

‡ Spelm. Gloss. in verb. *Baro*.

§ Four hydes made one knights fee: the relief of a barony was twelve times greater than that of a knight's fee; whence we may conjecture its usual value. Spelm. Gloss. in verb.

*Feodum*. There were 243,600 hides in England, as before remarked, and 60,215 knights' fees; whence it is evident, that there were a little more than four hydes in each knight's fee. || Vid. Spelman. Glossar. in verb. *Baro*.

\*\* *Liber homo* (i. e. a free man) anciently signified a gentleman; for scarce any one besides was entirely free. Vid. Spelm. Gloss. in verb.



give them protection, by means of certain privileges and a separate jurisdiction \*. An ancient French writer calls them a new and wicked device to procure liberty to slaves, and encourage them in shaking off the dominion of their masters †. The charter, as it is called, of the Conqueror to the city of London, though granted at a time when he assumed the appearance of gentleness and lenity, is nothing but a letter of protection, and a declaration that the citizens should not be treated as slaves ‡. By the English feudal law, the superior lord was prohibited from marrying his female ward to a burgess or a villan §, so near were these two ranks esteemed to each other, and so much inferior to the nobility and gentry. Besides possessing the advantages of birth, riches, civil powers, and privileges, the nobles and gentlemen alone were armed, a circumstance which gave them a mighty superiority, in an age when nothing but the military profession was honourable, and when the loose execution of laws gave so much encouragement to open violence, and rendered it so decisive in all disputes and controversies ||.

The great similarity among the feudal governments of Europe is well known to every man that has any acquaintance with ancient history; and the antiquaries of all foreign countries, where the question was never embarrassed by party disputes, have allowed that the commons came very late to be admitted to a share in the legislative power. In Normandy especially, whose constitution was most likely to be William's model in raising his new fabric of English government, the states were entirely composed of the clergy and nobility; and the first incorporated boroughs or communities of that duchy were Rouen and Falaise, which enjoyed their privileges by a grant of Philip Augustus, in the year 1207.\*\* All the ancient English historians, when they mention the great council of the nation, call it an assembly of the baronage, nobility, or great men; and none of their expressions, though several hundred passages might be produced, if necessity required, can, without the utmost violence, be tortured to a meaning which will admit the commons to be constituent members of that body ††. If in the long period of two hundred years, which elapsed between the conquest and the latter end of Henry III. and which abounded in factions, revolutions, and convulsions of all kinds, the house of commons never performed one single legislative act so considerable as to be once mentioned by any of the numerous historians of that age, they must have been totally insignificant, and in that case, what reason can be assigned for their ever being assembled? Can it be supposed, that men of so little weight and importance possessed a negative voice against the king and the baron? Every page of the subsequent histories discovers their existence; though these histories are not written with greater accuracy than the preceding ones, and indeed scarcely equal to them in that particular. The Magna Charta of king John provides, that no scutage or aid should be imposed, either on the lands or towns, but by consent of the great council; and, for more security, it enumerates the persons entitled to a seat in that assembly, the prelates and immediate tenants of the crown, without any mention of the commons; an authority so full, certain, and explicit, that nothing but the zeal of party could ever have procured credit to any contrary hypothesis.

It was probably the example of the French baron which first emboldened the English to require greater independence from their sovereign; it is also probable that the boroughs and corporations of England were established in imitation of those of France. It may therefore, be proposed as no unlikely conjecture, that both the chief privileges of the peers in England, and the liberty of the commons, were originally the growth of that foreign country.

In ancient times, men were little solicitous to obtain a place in the legislative assemblies; and rather regarded their attendance as a burden, which was not compensated by any return of profit or honour proportionate to the trouble and expence. The only reason for instituting those public councils was, on the part of the subject, that they desire some security from the attempts of arbitrary power; and on the part of the sovereign, that he despaired of governing men of such independent spirits without their own consent and concurrence. But the commons, or the inhabitants of boroughs, had not as yet reached such a degree of consideration, as to desire security against their prince, or to imagine that even if they were assembled in a representative body, they had power or rank sufficient to enforce it. The only protection which they aspired to, was against the immediate violence and injustice of their fellow-citizens; and this advantage each of them looked for from the courts of justice, or from the authority of some great lord, to whom by law, or his own choice, he was attached. On the other hand, the sovereign was sufficiently assured of obedience in the whole community, if he procured the concurrence of the nobles; nor had he reason to apprehend that any order of the state could resist his and their united authority. The military sub-vassals could entertain no idea of opposing both their prince and their superiors: the burgesses and tradesmen could much less aspire to such a thought; and thus, even if history were silent on the head, we have reason to conclude, from the known situation of society during those ages, that the commons were never admitted as members of the legislative body.

The executive power of the Anglo-Norman government was lodged in the king. Besides the stated meetings of the national council at the three great festivals of Christmas, Easter, and Whitsuntide ‡‡, he was accustomed, on any sudden exigence, to summon them together. He could, at his pleasure, command the attendance of his barons and their vassals, in which consisted the military force of the kingdom; and could employ them, during forty days, either in resisting a foreign enemy, or reducing his rebellious subjects. And, what was of great importance, the whole judicial power was ultimately in his hand, and was exercised by officers and ministers of his own appointment.

### NO. III.

#### Of the JUDICIAL POWER.

WE are now to treat of the mode of administering justice. The general plan of the Anglo-Norman government was, that the court of barony was appointed to decide such controversies as arose between the several vassals or subjects of the same barony; the hundred-court and county-court, which were still continued as

\* Vid. Du Cange's Gloss. in verbis *Commune, Communitas*.

† Guibertus de Vita sua, lib. III. cap. 7.

‡ Stat. of Merton, 1235. See our analysis of them, p. 197.

§ Holingshed, Vol. III. p. 15.

|| Madox's Baron. Angl. p. 19.

\*\* Norman. Du Chesnii, p. 1066. Du Cange Gloss. in verbo *Commune*.

†† Sometimes the historians mention the people (*populus*) as a part of the parliament; but they always mean the laity, in opposition to the clergy. Sometimes the word *communitas* is found; but it always means *communitas baronagii*. These points are clearly proved by Dr. Brady. There is also mention sometimes made of a crowd or multitude that thronged

into the great council on particular interesting occasions; but as deputies from boroughs are never once spoke of, the proof that they had not then any existence becomes the more certain and undeniable. These never could make a crowd, as they must have had a regular place assigned them, if they had made a regular part of the legislative body. There were only one hundred and thirty boroughs who received writs of summons from Edward I. It is expressly said, in *Gesta Reg. Steph.* p. 932, that it was usual for the *populus vulgus* to crowd into the great councils; where they were plainly mere spectators, and could only gratify their curiosity. Hume.

‡‡ Dugd. Orig. Juridic. p. 15. Spelman. Glossar. in verbo *Parliamentum*.



during the Saxon times, to judge between the subjects of different baronies \*; and the *curia regis*, or king's court, to give sentence among the barons themselves. But this plan, though simple, was attended with some circumstances which, being derived from a very extensive authority assumed by the Conqueror, contributed to increase the royal prerogative; and as long as the state was not disturbed by arms, reduced every order of the community to some degree of dependence and subordination.

The king himself often sat in his court, which always attended his person. He there heard causes and pronounced judgement: and though he was assisted by the advice of the other members, it is not to be imagined, that a decision could easily be obtained contrary to his inclination or opinion. In his absence the chief justiciary presided, who was the first magistrate in the state, and a kind of viceroy, on whom depended all the civil affairs of the kingdom. The other chief officers of the crown, the constable, marshal, seneschal, chamberlain, treasurer, and chancellor †, were members, together with such feudal barons as thought proper to attend, and the barons of the exchequer, who at first were also feudal barons appointed by the king. This court, which was sometimes called the king's court, sometimes the court of exchequer, judged in all causes, civil and criminal, and comprehended the whole business which is now shared out among four courts, viz. the Chancery, the King's Bench, the Common Pleas, and the Exchequer.

Such an accumulation of powers was itself a great source of authority, and rendered the jurisdiction of the court formidable to all the subjects; but the turn which judicial trials took soon after the Conquest, served still more to increase its authority, and to augment the royal prerogatives. William, among the other violent changes which he attempted and effected, had introduced the Norman law into England, had ordered all the pleadings to be in that tongue, and had interwoven, with the English jurisprudence, all the maxims and principles which the Normans, more advanced in cultivation, and naturally litigious, were accustomed to observe in the distribution of justice. Law now became a science, which at first fell entirely into the hands of the Normans; and which, even after it was communicated to the English, required so much study and application, that the laity, in those ignorant ages, were incapable of attaining it, and it was a mystery almost solely confined to the clergy, and chiefly to the monks. The great officers of the crown, and the feudal barons, who were military men, found themselves unfit to penetrate into those obscurities; and though they were entitled to a seat in the supreme judicature, the business of the court was wholly managed by the chief justiciary and the law barons, who were men appointed by the king, and entirely at his disposal. This natural course of things was forwarded by the multiplicity of business which flowed into that court, and which daily increased by the appeals from all the subordinate judicatures of the kingdom.

In the Saxon times, no appeal was received in the king's court, unless justice had been denied or delayed by the inferior courts; and the same practice was still

observed in most of the feudal kingdoms of Europe. But the great power of the Conqueror established at first in England an authority which the monarchs in France were not able to attain till the reign of St. Lewis, who lived near two centuries after; he empowered his court to receive appeals, both from the courts of barony and the county-courts, and by that means brought the administration of justice ultimately into the hands of the sovereign, and left the expence or trouble of a journey to court should discourage suitors, and make them acquiesce in the decision of the inferior judicatures, itinerant judges were afterwards established, who made their circuits throughout the kingdom, and tried all causes that were brought before them ‡. By this expedient the courts of barony were kept in awe; and if they still preserved some influence, it was only from the apprehensions which the vassals might entertain of disobliging their superior, by appealing from his jurisdiction. But the county-courts were much discredited; and as the freeholders were found ignorant of the intricate principles and forms of the new law, the lawyers gradually brought all business before the king's judges, and abandoned the ancient simple and popular judicature. After this manner the formalities of justice, which, though they appear tedious, are found requisite to the support of liberty in all monarchical governments, proved at first, by a combination of causes, very advantageous to royal authority in England.

As to the police of the kingdom during the reign of Edward III. it was certainly better than during times of faction, civil war, and disorder, to which England was so often exposed. Yet there were several vices in the constitution, the bad consequences of which, all the power and vigilance of the king could not prevent. The barons, by their confederacies with those of their own order, and by supporting and defending their retainers in every iniquity, were the chief abettors of robbers, murderers, and ruffians of all kinds; and no law could be executed against those criminals. The nobility were brought to give their promise in parliament, that they would not avow, retain, or support, any felon or breaker of the law §; yet this engagement, which we may wonder to see exacted from men of their rank, was never regarded by them. The commons make continual complaints of the multitude of robberies, murders, rapes, and other disorders, which, they say, were become numberless in every part of the kingdom, and which they always ascribe to the protection that the criminals received from the great ||. The king of Cyprus, who paid a visit to England in this reign, was robbed and stripped on the highway, with his whole retinue. Edward himself contributed to this dissolution of law, by his facility in granting pardon to felons from the solicitations of the courtiers. Laws were made to retrench this prerogative, and remonstrances of the commons were presented against the abuse of it: but to no purpose. The gratifying of a powerful nobleman continued still to be of more importance than the protection of the people. The king also granted many franchises, which interrupted the course of justice, and the execution of the laws.

\* None of the feudal governments in Europe had such institutions as the county-courts, which the great authority of the Conqueror still retained from the Saxon customs. All the freeholders of the county, even the greatest barons, were obliged to attend the sheriffs in these courts, and to assist them in the administration of justice. By these means they received frequent and sensible admonitions of their dependence on the king or supreme magistrate: they formed a kind of community with their barons and freeholders: they were often drawn from their individual and independent state, peculiar to the feudal system; and were made members of a political body: and, perhaps, this institution of county-courts in England has had greater effects on the government, than has yet been distinctly pointed out by historians, or traced by antiquaries. The barons were never able to free themselves from this attendance on the sheriffs and No. XXVII.

itinerant justices till the reign of Henry III. Hume.

† Madox's Hist. Excheq. p. 27, 29, 33, 38, 41, 54. The Normans introduced the practice of sealing charters; and the chancellor's office was to keep the great seal. Ingulph. Dugd. p. 33, 34.

‡ Madox, Hist. of the Exch. p. 83, 84, 100. Gervas. Dorob. p. 1410. What made the Anglo-Norman barons more readily submit to appeals from their court to the king's court of exchequer, was their being accustomed to like appeals in Normandy to the ducal court of exchequer. See Gilbert's History of the Exchequer, p. 1, 2; though the author thinks it doubtful whether the Norman court was not rather copied from the English, p. 6. Hume.

§ See Cutton's Abridgement of the Law, p. 10.

|| Ibid. p. 51, & *alii locis*.



## No. IV.

*Of the REVENUES of the CROWN.*

WE shall here lay before our readers the most authentic account of the revenues of the crown we are able to collect, from the time of the Normans. The power of the Norman kings was supported by a great revenue; and that revenue was fixed, perpetual, and independent of the subject. The people, without betaking themselves to arms, had no check upon the king, and no regular security for the administration of justice. In those days of violence, many instances of oppression passed unheeded; and soon after were openly pleaded as precedents, which it was unlawful to dispute or control. Princes and ministers were too ignorant, to be themselves sensible of the advantages attending an equitable administration; and there was no established council or assembly which could protect the people, and by withdrawing supplies, regularly and peaceably admonish the king of his duty, and ensure the execution of his laws.

The first branch of the king's stated revenue, was the royal demesnes or crown lands, which were very extensive, and comprehended, besides a great number of manors, most of the chief cities of the kingdom. It was established by law, that the king could alienate no part of his demesnes, and that he himself or his successor could at any time resume such donations. But this law was never regularly observed; which happily rendered in time the crown somewhat more dependent. The rent of the crown lands, considered merely as so much riches, was a source of power: the influence of the king over his tenants and the inhabitants of the towns, increased this power: but the other numerous branches of his revenue, besides supplying his treasury, gave, by their nature, an almost unbounded latitude to arbitrary authority, and were a support of his prerogative; as will appear from an enumeration of them.

The king was never content with the fixed rents, but levied heavy talliages at pleasure on the inhabitants, who lived within his demesnes. All bargains of sale, in order to prevent theft, being prohibited, except in boroughs and public markets, he pretended to exact tolls on all goods which were there sold. He seized two hogheads, one before and one behind the mast, from every vessel that imported wine. All goods paid to his customs a proportional part of their value: passages over bridges and on rivers were loaded with tolls according to the will of the sovereign. And though the boroughs by degrees bought the liberty of farming these impositions, yet the revenue profited by these bargains; new sums were often exacted for the renewal and confirmation of their charters, and the people, by these means, were held in perpetual dependence. Such was the situation of the inhabitants within the royal demesnes; but the possessors of land, or the military tenants, though better protected both by law, and by the privilege of carrying arms, were, from the nature of their tenures, much exposed to the inroads of power, and possessed not what we should esteem, in our age, a very durable security. The Conqueror ordained, that the barons should be obliged to pay nothing beyond their stated services, except a reasonable aid to ransom his person if he were taken in war, to make his eldest son a knight, and to marry his eldest daughter. What should on these occasions be deemed a reasonable aid, was not determined; and the demands of the crown were so far discretionary.

The king could require in war the personal attendance of his vassals, that is, of almost all landed proprietors; and if they declined the service, they were obliged to pay him a composition in money, which was called a scutage. The sum was, during some reigns, precarious and uncertain; it was sometimes levied without allowing the vassal the liberty of personal service; and it was an usual artifice of the king's to pretend an expedition, that he might be entitled to levy the scutage from his military tenants. Danegelt was another species of land-tax le-

vied by the early Norman kings, arbitrarily, and contrary to the laws of the Conqueror. Moneyage was also a general land-tax of the same nature, levied by the two first Norman kings, and abolished by the charter of Henry I. It was a shilling paid every three years by each hearth, to induce the king not to use his prerogative in debasing the coin. Indeed it appears from the charter, that though the Conqueror had granted his military tenants an immunity from all taxes and talliages, he and his son William had never thought themselves bound to observe that rule, but had levied impositions at pleasure on all the landed estates of the kingdom. The utmost that Henry grants is, that the land cultivated by the military tenant himself shall not be so burdened; but he reserves the power of taxing the farmers; and as it is known that Henry's charter was never observed in any one article, we may be assured, that this prince and his successors retracted even this small indulgence, and levied arbitrary impositions on the lands of their subjects. On account of the heaviness of these taxes, Malmesbury tells us, that the farmers, in the reign of William Rufus, abandoned tillage, and a famine ensued.

The escheats were a great branch both of power and of revenue, especially during the first reigns after the Conquest. In default of posterity from the first baron, his land reverted to the crown, and continually augmented the king's possessions. Besides escheats from default of heirs, those which ensued from crimes of breach of duty towards the superior lord, were frequent in ancient times. If the vassal, being thrice summoned to attend his superior's court, and do fealty, neglected or refused obedience, he forfeited all title to his land. If he denied his tenure, or refused his service, he was exposed to the same penalty. If he sold his estate without licence from his lord, or if he sold it upon any other tenure or title than that by which he himself held it, he lost all right to it. The adhering to his lord's enemies, deserting him in war, betraying his secrets, debauching his wife or his near relations, or even using indecent freedoms with them, might be punished by forfeiture. The higher crimes, rapes, robbery, murder, arson, &c. were called felony; and being interpreted want of fidelity to his lord, made him lose his fief. Even where the felon was vassal to a baron, though his immediate lord enjoyed the forfeiture, the king might retain possession of his estate during a twelvemonth, and had the right of spoiling and destroying it, unless the barons paid him a reasonable composition.

When a baron died, the king immediately took possession of the estate; and the heir, before he recovered his right, was obliged to make application to the crown, and desire that he might be admitted to do homage for his land, and pay a composition to the king. This composition was not at first fixed by law, at least by practice: the king was often exorbitant in his demands, and kept possession of the land till they were complied with. If the heir were a minor, the king retained his whole profit of the estate till he became of age; and might grant what sum he thought proper for the education and maintenance of the young baron. This practice was founded on the notion that a fief was a benefice, and that while the heir could not perform his military services, the revenue devolved to the superior, who employed an abbot in his stead. It is obvious, that a great proportion of the landed property must, by means of this device, be continually in the hands of the prince, and that all the noble families were thereby held in perpetual dependence. When the king granted a wardship of a minor heir to any one, he had the opportunity of enriching a favourite or minister: if he sold it, he thereby levied a considerable sum of money: Geoffrey de Mandeville paid Henry III. the sum of twenty thousand marks, that he might marry Isabel, countess of Gloucester, and possess all her lands and knights fees. This sum would be equivalent to three hundred thousand, or perhaps four hundred thousand pounds in our time. If the heir were a female, the king was entitled to offer her an husband of her rank, he then did proper; and if she re-



fuled him, she forfeited her land. Even a male heir could not marry without the royal consent : and it was usual for men to pay large sums for the liberty of making their own choice in marriage. No man could dispose of his land, either by sale or will, without the consent of his superior. The possessor was never considered as full proprietor : he was still a kind of beneficiary ; and could not oblige his superior to accept of any vassal that was not agreeable to him.

Fines, amerciaments, and oblatas, as they were called, were another considerable branch of the royal power and revenue. The ancient records of the exchequer, give surprising accounts of the numerous fines and amerciaments levied in those days, and of the strange inventions to exact money from the subject. It appears that the ancient kings of England put themselves entirely on the footing of the barbarous eastern princes, whom no man must approach without a present, who sell all their good offices, and who intrude themselves into every business, that they may have a pretence for extorting money. Even justice was avowedly bought and sold ; the king's court itself, though the supreme judicature of the kingdom, was open to none that brought not presents to the king ; the bribes given for the expedition, delay, suspension, and, doubtless, for the perversion of justice, were entered in the public registers of the royal revenue, and remain as monuments of the perpetual iniquity and tyranny of the times. The barons of the exchequer, for instance, the first nobility of the kingdom, were not ashamed to insert, as an article in their records, that the county of Norfolk paid a sum that they might be fairly dealt with ; the borough of Yarmouth, that the king's charters, which they have for their liberties, might not be violated ; Richard, son of Gilbert, for the king's helping him to recover his debt from the Jews ; Serlo, son of Terlavaston, that he might be permitted to make his defence, in case he were accused of a certain homicide ; Walter de Burton, for free law, if accused of wounding another ; Robert de Effart, for having an inquest to find whether Roger the butcher, and Wace and Humphrey, accused him of robbery and theft out of envy, and ill will, or not ; William Buhurst, for having an inquest to find whether he were accused of the death of one Godwin, out of ill will, or for just cause. These few instances are selected from a great number of a like kind, which Madox had selected from a still greater number, preserved in the ancient rolls of the exchequer. Sometimes the party litigant offered the king a certain portion, a half, a third, a fourth, payable out of the debts which he, as the executor of justice, should assist him in recovering. And as the king assumed the entire power over trade, he was to be paid for a permission to exercise commerce or industry of any kind. The commerce indeed of the kingdom was so much under the control of the king, that he erected guilds, corporations, and monopolies wherever he pleased ; and levied sums for these exclusive privileges.

It was usual also to pay high fines, in order to gain the king's good-will, or to mitigate his anger. In the reign of Henry III. the city of London paid a fine of twenty thousand pounds that the king would remit his displeasure. The king's protection and good offices of every kind were likewise bought and sold. Robert Grisset paid twenty marks of silver, that the king would help him against the earl of Mortaigne in a certain plea : Eling, the dean, paid one hundred marks, that his concubine and his children might be let out upon bail : the bishop of Winchester gave one tun of good wine for his not putting the king in mind to give a girdle to the countess of Albemarle : Robert de Veaux gave five of the best palfreys, that the king would hold his tongue about Henry Pinel's wife\*. There are, in the records of the exchequer, many other singular instances of a similar nature. It will, however, be just to remark, that the same ridiculous practices and dangerous abuses prevailed in Normandy, and, probably, in all the other states of Europe ; so that we may conclude, England was not in this respect, more barbarous than the neighbouring powers.

These iniquitous practices of the Norman kings were so well known, that on the death of Hugh Bigod, in the reign of Henry II. the best and most just of these princes, the eldest son and the widow of this nobleman came to court, and strove by offering large presents to the king, each of them to acquire possession of that rich inheritance. The king was so equitable as to order the cause to be tried by the great council ; but in the mean time he seized all the money and treasure of the deceased. Peter of Blois, a judicious, and even an elegant writer for that age, gives a pathetic description of the venality of justice, and the oppressions of the poor under the reign of Henry : and he scruples not to complain to the king himself of these abuses. We may judge what the case would be under the government of worse princes.

Amerciaments, or fines for crimes and trespasses were another considerable branch of the royal revenue. Most crimes were atoned for by money ; the fines imposed were not limited by any rule or statute ; and frequently occasioned the total ruin of the person, even for the slightest trespasses. The forest-laws, particularly, were a great source of oppression. The king possessed sixty-eight forests, thirteen chaces, and seven hundred and eighty-one parks, in different parts of England ; and, considering the extreme passion of the English and Normans for hunting, these were so many snares laid for the people, by which they were allured into trespasses, and brought within the reach of arbitrary and rigorous laws, which the king had thought proper to enact by his own authority.

But the most barefaced acts of tyranny and oppression were practised against the Jews, who were entirely out of the protection of law, were extremely odious from the bigotry of the people, and were abandoned to the immeasurable rapacity of the king and his ministers. Besides many other indignities to which they were continually exposed, it appears that they were once all thrown into prison, and the sum of sixty-six thousand marks exacted for their liberty : the revenue arising from exactions upon this nation was so considerable, that there was a particular court of exchequer set apart for managing it.

#### No. V.

#### *Of the COMMERCE of ENGLAND.*

WE may form an idea of the low state of commerce among the English, when the Jews, notwithstanding their various oppressions, could still find their account in trading among them, and lending them money. And as the improvements of agriculture were also much checked by the immense possessions of the nobility, by the disorders of the times, and by the precarious state of feudal property, it appears that industry of no kind could then have place in the kingdom. We learn from the extracts given us of *Domesday* by Brady, in his *Treatise of Boroughs*, that almost all the boroughs of England had suffered in the shock of the Conquest, and had extremely decayed between the death of the Confessor, and the time when *Domesday* was framed.

Commerce and industry were certainly at a very low ebb during the reign of Edward III. The bad police of the country alone affords a sufficient reason. The only exports were wool, skin, hides, leather, butter, tin, lead, and such unmanufactured goods, of which wool was by far the most considerable. Knyghton has asserted, that one hundred thousand sacks of wool were annually exported, and sold at twenty pounds a sack, money of that age. But he is widely mistaken, both in the quantity exported and in the value. In 1349, the parliament remonstrated that the king, by an illegal imposition of forty shillings on each sack exported, had levied sixty thousand pounds a year : which reduces the annual exports to thirty thousand sacks. A sack contained twenty-six stone, and each stone fourteen pounds ; and at a medium was not valued at above five pounds a sack, that is, fourteen or fifteen pounds of our present money. Knyghton's composition raises it to sixty pounds, which

\* See Madox's History of the Exchequer.



is near four times the present price of wool in England. According to this reduced computation, the export of wool brought into the kingdom about four hundred and fifty thousand pounds of our present money, instead of six millions, which is an extravagant sum. Even the former sum is so high, as to afford a suspicion of some mistake in the computation of the parliament with regard to the number of sacks exported. Such mistakes were very usual in those ages.

Edward endeavoured to introduce and promote the woollen manufacture, by giving protection and encouragement to foreign weavers, and by enacting a law, which prohibited every one from wearing any cloth but of English fabric. The parliament prohibited the exportation of woollen goods, which was not so well judged, especially while the exportation of wrought wool was so much allowed and encouraged. A like injudicious law was made against the exportation of manufactured iron.

It appears from a record in the exchequer, that in 1354, the exports of England amounted to two hundred and ninety-four thousand, one hundred and eighty-four pounds, seventeen shillings, and two-pence: the imports to thirty-eight thousand, nine hundred and seventy pounds, three shillings, and six-pence, money of that time. This is a great balance, considering that it arose wholly from the exportation of raw wool, and other rough materials. The import was chiefly linen and fine cloth, and some wine. England seems to have been extremely drained at this time by Edward's foreign expeditions and subsidies, which probably was the reason why the exports so much exceed the imports.

In the first of Richard II. the parliament complain extremely of the decay of shipping during the preceding reign and assert, that one sea-port formerly contained more vessels, than were then to be found in the whole kingdom. This calamity they ascribe to the arbitrary seizure of ships by Edward for the service of his frequent expeditions. The parliament in the fifth of Richard renew the same complaint; and we likewise find it made in the forty-sixth of Edward III. So false is the common opinion, that the reign of Edward III. was favourable to commerce. There is an order of this king directed to the mayor and sheriffs of London, to take up all ships of forty tons and upwards, to be converted into ships of war.

The staple of wool, wool-fells, leather, and lead, was fixed 27th Edward III. by act of parliament in particular towns of England. Afterwards it was removed by law to Calais: but Edward III. who commonly deemed his prerogative above law, paid little regard to these statutes; and when the parliament remonstrated with him on account of those acts of power, he plainly told them that he would proceed as he thought proper in every thing that related to those matters. It is not easy to assign the reason of this great anxiety for fixing a staple; unless perhaps it invited foreigners to a market, when they knew beforehand that they should there meet with great choice of any particular species of commodity. This policy of inviting foreigners to Calais was carried so far, that all English merchants were prohibited by law from exporting any English goods from the staple; which was in a manner the total abandoning of all foreign navigation, except that to Calais: a contrivance seemingly extraordinary, and highly prejudicial to the commerce of England.

It was not till the middle of this century (the fourteenth,) that the English began to extend their navigation even to the Baltic; nor till the middle of the subsequent, that they sailed to the Mediterranean.

#### No. VI.

#### *Of the CIVIL LAWS, MANNERS, &c.*

THE right of primogeniture was introduced with the feudal law: an institution prejudicial to the younger branches of a family, but exceedingly advantageous to the elder branches. By the former an unequal division

of private property would inevitably have taken place; by the latter the eldest son was always preferred, and property descended in a regular succession from generation to generation. Thus disputes relating to the partition of states became of none effect. The Normans introduced the use of surnames, which tend to preserve the knowledge of families and pedigrees. They abolished none of the old absurd methods of trial by the cross or ordeal; and they added a new absurdity, the trial by single combat, which became a regular part of jurisprudence, and was conducted with all the order, method, devotion, and solemnity imaginable. The last instance of these duels was in the 15th of Eliz. So long did that absurdity remain.

We meet with this preamble to a law enacted at the very beginning of the reign of Richard II: "Whereas divers persons of small garrison of land or other possessions, do make great retinue of people, as well of esquires as of others, in many parts of the realm, giving to them hats and other livery of one suit by year, taking again towards them the value of the same livery, or per case, the double value, by such covenant and assurance, that every of them shall maintain other in all quarrels, be they reasonable or unreasonable, to the great mischief and oppression of the people, &c." This preamble contains a true picture of the state of the kingdom. The laws had been so feebly executed, even during the long, active, and vigilant reign of Edward III. that no subject could trust to their protection. Men openly associated themselves, under the patronage of some great baron, for their mutual defence. They wore public badges, by which their confederacy was distinguished. They supported each other in all quarrels, iniquities, extortions, murders, robberies, and other crimes. Their chief was more their sovereign than the king himself; and their own band was more connected with them than their country. Hence the perpetual turbulence, disorders, factions, and civil wars of those times: hence the little regard paid to a charter or the opinion of the public: hence the great discretionary prerogatives of the crown, and the danger which might have ensued from the too great limitation of them. If the king had possessed no arbitrary powers, while all the nobles assumed and exercised them, there must have ensued an absolute anarchy in the state.

One great mischief attending these confederacies, was the extorting from the king pardons for the most enormous crimes. The parliament of ten endeavoured, in the reign of Edward III. to deprive the prince of this prerogative; but, in that of Richard II. they were content with an abridgement of it. They enacted, that no pardon for rapes or for murder, from malice *prepenſe* should be valid, unless the crime were particularly specified in it. There were also some other circumstances required for passing any pardon of this kind: an excellent law, but ill observed, like most laws that thwart the manners of the people, and the prevailing customs of the times.

It is easy to observe, from these voluntary associations among the people, that the whole force of the feudal system was in a manner dissolved, and that the English had nearly returned, in that particular, to the same situation in which they stood before the Norman conquest. It was, indeed, impossible that system could long subsist under the perpetual revolutions to which landed property is every where subject. When the great feudal baronies were first erected, the lord lived in opulence in the midst of his vassals: he was in a situation to protect and cherish, and defend them: the quality of patron naturally united itself to that of superior: and these two principles of authority mutually supported each other. But when, by the various divisions and mixtures of property, a man's superior came to live at a distance from him, and could no longer give him shelter or countenance; the tie gradually became more fictitious than real: new connections from vicinity or other causes were formed: protection was sought by voluntary services and attachment: the appearance of valour, spirit, abilities



in any great man, extended his interest very far: and if the sovereign were deficient in these qualities, he was no less, if not more exposed to the usurpations of the aristocracy than even during the vigour of the feudal system.

The ideas of chivalry also seem to have been imported by the Normans: no traces of those fantastic notions are to be found among the plain and rustic Saxons. The feudal institutions, by raising the military tenants to a kind of a sovereign dignity, by rendering personal strength and valour requisite, and by making every knight and baron his own protector and avenger, begat that martial pride and sense of honour, which, being cultivated and embellished by the poets and romance-writers of the age, ended in chivalry. The virtuous knight fought not only in his own quarrel, but in that of the innocent, of the helpless, and, above all, of the fair, whom he supposed to be for ever under the guardianship of his valiant arm. The uncourteous knight who, from his castle, exercised robbery on travellers, and committed violence on virgins, was the object of his perpetual indignation; and he put him to death, without scruple, or trial, or appeal, wherever he met with him. The great independence of men made personal honour and fidelity the chief tie among them; and rendered it the capital virtue of every true knight, or genuine professor of chivalry. The solemnities of single combat, as established by law, banished the notion of every thing unfair or unequal in rencounters; and maintained an appearance of courtesy between the combatants till the moment of their engagement. The credulity of the age grafted on this stock the notion of giants, enchanters, dragons, spells\*, and a thousand wonders, which still multiplied during the times of the Crusades; when men, returning from so great a distance, used the liberty of imposing every fiction on their believing audience. These ideas of chivalry infested the writings, conversation, and behaviour of men, during some ages; and even after they were, in a great measure, banished by the revival of learning, they left modern gallantry and the point of honour, which still maintain their influence, and the genuine offspring of those ancient affectations.

## No. VII.

## BIOGRAPHICAL CHARACTERS

OF

## EMINENT PERSONAGES.

JOHANNES SARISBURIENSIS was a native, and not a bishop of Salisbury, as some have affirmed. He was one of the ornaments of the church of England for his learning, politeness, and regular life. He was intimate with pope Adrian IV. who used to complain to him of the weight of the papal crown. However, the bull which this pope gratified Henry II. with, on account of the conquest of Ireland, seems to shew that he was not very scrupulous when the advancement of his power was the object. John de Salisbury, who followed the fortune of Thomas Becket, and accompanied him into France, procured, by his means, the bishopric of Chartres. He wrote the *Polycricon*, or *de Nugis Curialium*; a Collection of Letters, and several other tracts of little moment. He died in 1181 or 1182.

BALDWIN, archbishop of Canterbury, who attended Richard to the Holy Land, was esteemed a good divine. Some of his works, which are still extant, shew that his reputation was not ill-grounded. King Henry II. who had suffered much from Becket's insolence, contrived a method with Baldwin, archbishop of Canterbury, which, if it succeeded, might, in time, humble the monks, who were become intolerably haughty, and reduce them to

their duty, or, at least, put it out of their power of doing much mischief. The way was this: Baldwin was to found a college for secular canons at Hackington, near Canterbury. The better to cover his design, he pulled down the church there, which was dedicated to St. Stephen, and proposed, after it was rebuilt, to dedicate it to the honour of St. Stephen and Thomas Becket. He had not only the royal assent and approbation, but was also authorized by a bull of pope Urban III. to build that college in honour of St. Stephen and St. Thomas, with a grant of the fourth part of the offerings at the tomb of that pretended martyr, for the better carrying on the work. But notwithstanding Baldwin's precaution to hide his secret design from the monks, they soon foresaw that, if this college was perfected, it might not only withdraw the archbishops from their residence among them, but also induce those prelates to make choice of that place, as well for consecrating of bishops as the chrysin for the use of the diocese: besides that, being dedicated to the memory of their late martyr, it might divide the devotions of the people, and bring the college to partake in the offerings which the monks had wholly promised to themselves; and, still worse, the college might in time be made the mother church of the diocese, and the secular canons the chapter; and thus deprive the monastery of the darling right they had assumed of choosing their own archbishop. These considerations so wrought upon the monks, that they used all means imaginable to defeat the archbishop's designs; they not only stirred up the whole body of the monks and people, as if the very being of Christianity had depended upon the wealth and power of the monks of Canterbury, and upon their right of electing the archbishop, but they also appealed to the pope, from whom they were sure to meet with all the countenance and protection they could desire. However, the archbishop pursued his work; and because he had not stone ready for the chapel, he erected one of wood, solemnly consecrated it, and placed therein secular priests or canons; alledging, that what he had done was no more than what Anselm and Becket had before designed, and therefore he refused to appear to answer to the appeal. The monks never ceased prosecuting their suit at Rome, by requests, gifts, repeated appeals, and all manner of importunities, till they prevailed upon Urban III. to send an order to archbishop Baldwin, not only to stop his work, but also to demolish it, and make void every thing he had done. Urban, the great protector of the monks, dying soon after, was succeeded by Gregory VIII. a man with whom archbishop Baldwin had great interest. The archbishop, upon that, determined to set on foot again his former design, and thought it could not give the monks umbrage if fixed at a considerable distance from Canterbury. For that purpose he procured from the bishop and monks of Rochester, some lands at Lambeth, by way of exchange for other; and when the demolishing of the church at Hackington could not be avoided, it was agreed that the foundation should be translated to Lambeth; which agreement was made by king Richard I. with the concurrence of the bishops and barons, and sealed with their seals. Thus authorized, the archbishop caused to be brought by water all the stones, timber, and other materials, which he had prepared for the building of his college at Hackington, and began the foundation of another collegiate church at Lambeth, which he did not live to finish. Archbishop Baldwin died in the year 1190.

HUGH, bishop of Lincoln, a native of Grenoble, was one of the most illustrious prelates of the church of England, in the reigns of Richard I. and king John. His virtue gained him great reverence from the people of his diocese, who were afraid of being excommunicated by him, because they thought they observed, that those who lay under that censure seldom failed of being

\* In all legal single combats, it was part of the champion's oath, that he carried not about him any herb, spell, or enchantment. No. XXVII.

ment, by which he might procure victory. Dugd. Orig. Jurid. p. 82.



visited in this world with some calamity. It is related, as an instance of the zeal and resolution of this prelate, that by his own authority, he ordered to be removed out of the church of Godstow in Oxfordshire, the tomb of Rosamond, mistress to Henry II. which stood in the middle of the choir, hung with black velvet and wax tapers round about it. Though he was told that the tomb was placed there by the king's order, he thought he ought not to suffer it, saying, it was a shameful thing that the tomb of such a woman should stand in so honourable a place. This bishop dying with the reputation of a saint, was canonized by Honorius III. in 1221.

EDMUND LE RICH, who from a canon of Salisbury was promoted to the archiepiscopal see of Canterbury, after the pope had annulled three elections to make room for him, was very commendable for his moderation and regular life. He could have wished that the pope's power, which was then at the highest pitch, might have been reduced within due bounds. But perceiving there was no likelihood of succeeding in any attempt of that nature, considering the circumstances England was in, he chose rather to give way to the torrent, than to stand against so formidable a power, backed likewise by the king's authority. However, to avoid the blame of a base compliance, he retired into France, to the monastery of Pontigny, where his austerities shortened his days. He was canonized by pope Innocent IV. 1216.

SEWALD, archbishop of York, was an able divine, and of an unblameable life. He took pattern by Edmund, archbishop of Canterbury, who had been his master. The frequent exactions of the court of Rome gave him so great disgust, that he wrote a sharp remonstrance to pope Alexander IV. upon that subject. Amongst other things he told him, that when Jesus Christ commissioned St. Peter "to feed his sheep," he did not give him authority to "slay" them. This freedom, added to his refusing to admit certain Italians, who came with provisions from the court of Rome, drew on him the displeasure of Alexander, who at length excommunicated him. The archbishop, when upon his death-bed, complained bitterly of the pope's injustice, and made appeal to Heaven. Matthew Paris was not of opinion, doubtless, that this excommunication deprived Sewald of eternal salvation, since he affirms, that this prelate wrought a miracle in his last sickness.

ROBERT KILWARDBY, archbishop of Canterbury, was a very learned prelate, for the age he lived in. In the year 1276, being the first of Edward I. he obtained a grant of a market to be kept every Wednesday in his manor of Croydon, and a fair to be holden for nine days, beginning on the vigil of St. Botolph the abbot, viz. on the 16th of May\*. When archbishop Kilwardby was made a cardinal and bishop of Portua, he robbed the see of Canterbury, and carried away with him to Rome all the jewels, plate, money, and register books belonging to his archbishopric. This appears from archbishop Peckham's register, who sent divers *procuratoria* to Rome to recover them, but in vain†.

GROSSETESTE, bishop of Lincoln, who was born at Stodbrooke in Suffolk, was a prelate of resolution and courage, who was neither to be gained by court-favours, nor frightened by the pope's menaces, rocks which few ecclesiastics in those days knew how to avoid. He, wholly bent upon following what appeared to him reasonable and just, without being swayed by any other consideration, had little regard to the circumstances of the times, or the quality of the persons, and opposed equally the king's will, and the pope's pleasure, according as it happened. By this steady conduct, he had acquired a

great reputation among the people, who had long been accustomed to see the bishops truckle to the king or the pope. One day he excommunicated the sheriff, for refusing to imprison an excommunicated person‡, who contemned the church's censures. Henry III. very angry with the bishop for not applying to him, in order to oblige the sheriff to put the canons in execution, addressed the pope to secure his authority, a remedy worse than the disease. This affair obliged Grosseteste to take a journey to Rome, where he was confirmed in the opinion he had of the court of Rome. He could not see without indignation, and without shewing his concern at it, the best preferments in the kingdom, bestowed on Italians, who neither resided on their benefices, nor understood a word of English. His grief to behold the church's revenues devoured by these harpies having caused him to refuse to institute an Italian to one of the best livings of his diocese, he was shortly afterwards suspended: but, not at all concerned at this censure, he continued his episcopal functions, his flock being no more scrupulous in the matter than himself. He ever refused at that time to admit some new Provisions sent from the pope in favour of other Italians. He declared that to entrust the cure of souls to such pastors, was to act in the name of the Devil, rather than by the authority of God. The court of Rome was unwilling then to make any disturbance, for fear of bringing upon her the whole body of the clergy of England, from whom she reaped a plentiful harvest. This was the reason, that the pope thought it his wisest course to shut his eyes at the disobedience of this prelate, who was of a known resolution, and in great repute with the people. He chose rather to endeavour to win him by fair means; and accordingly, to give him a testimony of his esteem, he sent him a commission to reform certain abuses which had crept into the monasteries. Notwithstanding this, Grosseteste shortly after touched the pope in a very sensible manner, by computing the sums which the benefited Italians drew every year out of England, as we have before observed. Innocent IV. sat then in the papal chair. He had been so used to treat the English with haughtiness, that he could not hear of the bishop's proceedings without being extremely provoked: but as he durst not attack him upon this account, because what he had done, had met with universal approbation, he sent him a menacing bull, for having refused to admit of his Provisions. Grosseteste returned to him, who had been ordered to send him the bull with certain instructions§, a very bold answer, of which the reader perhaps will not be displeased to see the following extract: "I desire your prudence to take notice, that I am always ready to obey the apostolical instructions, and declare myself an enemy to whatever is repugnant to them: for to both these things I am bound by the command of God. To apply this: the apostolical instructions || must, of necessity, be agreeable to the doctrine of the apostles, and of our Saviour Jesus Christ, who is principally represented by the pope. Seeing Jesus Christ has declared, 'he that is not with me is against me,' the sanctity of the apostolical see is such, that it can never appear in opposition to our Lord. From whence it plainly follows, that the letter in question \*\* is directly opposite to an apostolical character. First, because of the clause *Non obstantes*, so frequently made use of at present, which has nothing of natural equity in it. On the contrary, it is certain it introduces a deluge of mischief, as it gives occasion to a great deal of inconstancy and breach of faith. It shakes the foundation of mutual trust, and makes language and writings of no force or significance. In short, it cannot

\* Cart. 5. F. I. m. 24. "*Rex concedit Arch' Cant' et successor' mercatum apud manerium de Croydon singulo die merc' et feriam singulis annis duraturum, viz. in vigil' et in crast' sancti Botolphi abbatis et per sex dies sequentes. Dat' apud Windfore, 10 Dec.*"

† See "The History and Antiquities of the Archiepiscopal Palace at Lambeth," p. 11.

‡ One Ralph, a clergyman, whom he had deprived for in-

continence, and afterwards excommunicated for refusing to submit to the sentence. The sheriff was Ralph's friend.

§ Matthew Paris mentions not the contents of the bull, but only takes notice in general, that the bishop looked upon the instructions the pope had sent him, to be unreasonable, as they usually were, says our author.

|| By which are meant the pope's orders.

\*\* Meaning the pope's bull.



be, but that the purity of religion, and the peace of society, most suffer extremely by such a strength of apostolical authority. In the second place, next to the sins of Lucifer and Antichrist, there cannot be a greater defection, or which carries with it a more direct opposition to the doctrine of our Saviour and his apostles, than to destroy souls by depriving them of the pastoral office. And yet it is evident, that those are guilty of this sin who undertake the sacerdotal function, and receive the profits without discharging the duty. For in the Scripture account, the pastor who neglects his flock, is a downright murderer of the sheep. Can one help, therefore, considering as a most flagrant crime, a conduct which tends so strongly to the destruction of truth and virtue, and the happiness of mankind? If in moral productions the cause of good is better than the effect, it is but just the contrary in the propagation of vice, the source and original whereof are worse than the disorder that flows from them. It is manifest, therefore, that those who bring such unqualified persons into the church, and by that means debauch the Hierarchy, are most to blame, and that their crimes rise in proportion to the height of their station. From hence I conclude, that the apostolical see which received so full authority from our Saviour, for edification and not for destruction, ought not to countenance, much less to command, so horrid and pernicious a prevarication. To attempt any thing of this kind would be a notorious abuse, if not a forfeiture of her authority. It would be in effect to stray at a vast distance from the throne of glory, and to represent in a very ill manner the person of our Saviour. Such persons may be said rather to be placed in the chair of pestilence, and to sit upon the bench with the Devil and antichrist. Neither can any Christian who desires to continue in the communion of the church, and pay a due regard to the apostolic see, obey any commands of this kind, though imposed by an angel from Heaven. On the contrary, he ought to rebel, if I may call it so, against the order, and oppose it to the utmost of his power. For this reason, since the instructions above-mentioned are so plain a contradiction to the Catholic faith, and the sanctity of the apostolic see, my duty obliges me to refuse them, and not to comply out of deference to the person by whom they are sent. Neither can your prudence justly put any hardship upon me, because, properly speaking, my refusal ought not to be looked upon as a contumacy, but rather as a filial respect: for, to sum up all in a word, the apostolic see has its commission only for edification. But these provisions, as they call them, have a manifest tendency to destruction. Therefore the holy see can by no means allow such a liberty: for, to conclude, these practices are revealed by flesh and blood, which cannot inherit the kingdom of Heaven, and not by the Father of our Lord Jesus Christ." This letter highly enraged Innocent, who exclaimed, "What! has this old dotard the confidence to censure my conduct? By St. Peter and St. Paul I will make him such an example, that the world shall stand amazed at his punishment\*." His passion, however, was somewhat moderated by the cardinals, who represented to him the ill consequences which might proceed from too much rigour against the bishop: that the noise which would be made on this occasion would be prejudicial to the holy see, since it would infallibly cause the English to examine into the matter. That it was to be feared that in the temper they were in, with regard to the holy see and to the bishop of Lincoln, they would think it very strange, that a prelate of so established a reputation should be treated with such severity. That on the contrary, there was a necessity of carefully avoiding the giving occasion to enter into the examination of what he alleged to justify his non-compliance, and that therefore, upon all these accounts it was most

adviseable to take no notice at all of this insolent letter. Though these remonstrances moderated the effects of the pope's fury, they were not, however, sufficient to appease him entirely: the Annals of Lanercost inform us, that the bishop was excommunicated a little before his death, and that without concerning himself about the censure, he appealed to the court of Heaven. This is further confirmed by the report of several historians, who say, that Innocent moved in the conclave, that the body of Grosseteste might be taken up and buried in the highway, but that the cardinals would not consent to it. Be this as it will, if he was excommunicated, he minded it not, but kept on discharging his office; neither had the clergy of his diocese any more scruples about it than their bishop, but continued to obey him till the day of his death. The bishops his brethren, and the monks themselves, though great sticklers for the pope, did not think that this excommunication would have any effect. Some of them, who were present at his death, affirmed, that they were entertained with such divine music in the air over the house where he died, as they never heard before. We find likewise, that in the pontificate of Clement V. the dean and chapter of St. Paul petitioned very earnestly for the canonization of Grosseteste, on account of several miracles wrought by him after his death. But as he was not of that sort of saints, whom the court of Rome filled the calendar with, their petition was rejected. An instance of a bishop dying under the sentence of excommunication, and yet passing for a saint in the country where he lived, is a difficulty which must be left to be cleared up by those whom it may concern. We shall content ourselves with relating on this subject one circumstance more, which, if not true, is at least a proof of the great opinion the people entertained of this prelate's sanctity. An historian reports, that Grosseteste, a little after his death, appeared in his robes to Innocent IV. and striking him a blow on the side with his crozier, gave him a severe reprimand. He adds, that the pope was so frightened at this apparition, that he continued two days without eating. We cannot vouch for the truth of this relation; therefore we shall only draw this inference from it, that although the bishop died excommunicated by the pope, and in sentiments very opposite to those of the court of Rome, the historian for all that testifies by this circumstance, that he was fully persuaded of his being glorified in heaven. Bishop Grosseteste wrote several tracts: amongst other performances he translated, from the Greek into Latin, the Testament of the Twelve Patriarchs, a copy of which one John de Basingstoke, who had met with it at Athens, put into his hands. As to the time when the original was written it is uncertain; Dr. Cave assigns it to the latter end of the second century. Dodwell places it in the first, and some others believe it was composed by some Jew before our Saviour's birth.

JOHN WICKLIFF was educated at Merton College, in Oxford, where he took his degree of doctor of divinity. Among all the enemies, says Mosheim, of the Mendicant orders, none has been transmitted to posterity with more exalted encomiums on the one hand, or blacker calumnies on the other, than John Wickliff, an English doctor, professor of divinity at Oxford, and afterwards rector of Lutterworth; who, according to the testimony of the writers of the times, was a man of an enterprising genius, and extraordinary learning. In the year 1360, animated by the examples of Richard, archbishop of Armagh, he first of all attended the statutes and privileges of the university of Oxford against all the orders of the Mendicants, and had courage to throw out some slight reproofs against the popes, their principal patrons, which no true Briton ever imputed to him as a crime. After this, in the year 1367, he was deprived of the wardenship of Canterbury-Hall, in the university

\* "For, continues the pope, is not his sovereign the king of England, our vassal? Nay, is he not our slave? It is but therefore signifying our pleasure to the English court, and

"this antiquated prelate will be immediately imprisoned, and put to what further disgrace we shall think fit." M. Paris.



of Oxford, by Simon Langham, archbishop of Canterbury, who substituted a monk in his place; upon which he appealed to pope Urban V. who confirmed the sentence of the archbishop against him, on account of the freedom with which he had inveighed against the monastic orders. Highly exasperated at this treatment, he threw off all restraint, and not only attacked all the monks, and their scandalous irregularities, but even the pontifical power itself; and other ecclesiastical abuses, both in his sermons and writings. From hence he proceeded to yet greater lengths, and, detesting the wretched superstition of the times, refuted, with great acuteness and spirit, the absurd notions that were generally received in religious matters, and not only exhorted the laity to study the Scriptures, but also translated into English these divine books, in order to render the perusal of them more universal. Though neither the doctrine of Wickliff was void of error, nor his life without reproach, yet it must be confessed, that the changes he attempted to introduce, both in the faith and discipline of the church, were, in many respects, wise, useful, and salutary\*. The monks, whom Wickliff had principally exasperated, commenced a violent prosecution against him at the court of Gregory XI. who in the year 1377, ordered Simon Sudbury, archbishop of Canterbury, to take cognizance of the affair in a council held at London. Imminent as this danger evidently was, Wickliff escaped it by the interest of the duke of Lancaster, and some other peers, who had an high regard for him. And soon after the death of Gregory XI. the fatal schism of the Romish church commenced, during which there was one pope at Rome, and another at Avignon; so that of course this controversy lay dormant a long time. But no sooner was this embroiled state of affairs tolerably settled, than the progress against him was revived by William de Courtenay, archbishop of Canterbury, in the year 1385, and was carried on with great vehemence, in two councils held at London and Oxford. The event was, that of the twenty-three opinions, for which Wickliff had been prosecuted by the monks, ten were condemned as heresies, and thirteen as errors. He himself, however, returned safe to Lutterworth, where he died peaceably, in the year 1387†. This latter attack was much more dangerous than the former; but by what means he got safely through it, whether by the interest of the court, or by denying or abjuring his opinions, is to this day a secret‡. He left many followers in England, and other countries, who were styled Wickliffites and Lollards, which last was a term of popular reproach, translated from the Flemish tongue into English. Wherever they could be found, they were terribly persecuted by the inquisitors, and other instruments of papal vengeance, and, in the council of Constance, in the year 1415, the memory and opinions of Wickliff were condemned: and about thirteen years after, his bones were dug up, and publicly burnt.

JOHANNES DUNSCOTUS, commonly called *Doctor Subtilis*, lived in the reign of Edward II. and differed in many things from the opinions of Thomas Aquinas. He was a great stickler for the immaculate conception of the Blessed Virgin. After he had been professor in divinity at Oxford and Paris, he died at Cologne, in the same office, in the year 1308. It requires one half a

man's life to read the works of this profound doctor, and the other to understand his subtilties. His printed works are in twelve volumes in folio§. His manuscripts are sleeping in the library belonging to Merton College, in Oxford, of which society he was a member. He was the head of the sect of schoolmen called Scotists.

ROGER BACON, a Franciscan friar, was styled *Doctor Mirabilis*, for his great learning, but much more for his inventions, the characteristic of genius. He discovered the telescope, burning-glasses, *camera obscura*, gunpowder, transmutation of metals, and many other things, the utility of which was only known to himself. Dr. Freind says, that a greater genius in mechanics has not risen since the days of Archimedes. A variety of authors bear much the same testimony to his abilities in other branches of science. He was persecuted by the barbarians of his age; in which philosophy had made a less progress than any other kind of knowledge; and geometry and astronomy were branded with the odious name of necromancy. He died June 11, 1292. See his "*Opus Majus*," by Dr. Jebb; and Dr. Freind's "*History of Physic*."

GEOFFREY CHAUCER, who was born about 1328, was a man of quality, and made a considerable figure in the courts of Edward III. and Richard II. In 1374 we find Edward III. allowing him a pitcher of wine a day out of his cellar, and a yearly salary, which is supposed to be the origin of the butt of wine and salary still allowed to the king's poet laureat: both these were continued to him by Henry IV. Chaucer possessed an admirable fund of humour, painted the manners of life with great strength of colouring, and helped to improve and purify the English language. But it was the fate of this great poet, though possessed of an ample fortune, and a more ample genius; though loved by his prince, who employed him in many honourable posts; though admired by his countrymen, who were enamoured with his writings, to fall into misfortunes in private life. He died in the year 1400||, and was buried in Westminster Abbey; and his posterity became allied to the most illustrious families, nay even the blood-royal of England. This great poet, whom antiquity and his own merit have contributed to render venerable, is said to have been master of all the learning of his age. We see, and admire, in his works, the outlines of nature; but the beauty of colouring, and the delicate touches, are now lost, as a great part of his language is grown obsolete. It is probable that his contemporaries found little or no dissonance in his verses; but they are very ill accommodated to the ears of the present age\*\*.

SIMEON OF DURHAM, a monk and precentor of the church of Durham in the year 1164, was one of the most learned men of the age in which he lived. He wrote, besides other things, two books "*De Gestis Regum*," which are not his master-pieces, being only a few indigested collections chiefly from Florence of Worcester, whom he has frequently copied *verbatim*. He begins his account where Bede left off, and continues it as far as the 29th of Henry I. 1129. He is one of the "*Decem Scriptores*," published at London in the year 1652.

ROGER DE HOVEDEN, some time chaplain to Henry II. He is charged with borrowing from Simeon of

\* A work of his was published at Leipzig and Francfort in the year 1753, entitled, "*Dialogorum Libri quatuor*," which, though it does not contain all the branches of his doctrine, yet shews sufficiently the spirit of the man, and his way of thinking in general.

† Hume, Hist. Eng. says, "he died of a palsy in the year 1385." Granger also assigns the same year, but Rapin tells us, that he died in "1384."

‡ We have a full and complete History of the Life and Sufferings of John Wickliff, published in 8vo. at London in the year 1720, by Mr. John Lewis, who also published, in the year 1731, Wickliff's English translation of the New Testament from the Latin version, called the Vulgate. This translation is enriched with a learned preface by the editor, in which he enlarges upon the life, actions, and sufferings of that emi-

nent reformer. The pieces, relative to the controversies which were set on foot by the doctrines of Wickliff are to be found in the learned work of Wilkins, entitled, "*Concilia Magna Britannicæ et Hibernicæ*," tom. iii. p. 116, 156. See also Boulay, "*Hist. Acad. Paris*," tom. iv. p. 450. And Wood, "*Antiq. Oxoniens.*" tom. i. p. 183, 53 *passim*.

§ Voluminous works frequently arise from the ignorance and confused ideas of the authors. If angels were writers, says Mr. Norris, we should have few folios.

|| John Loveday, Esq. facetiously observed,  
"His stature was not very tall;  
Lean he was, his legs were small:  
Hos'd within a flock of red;  
A button'd bonnet on his head."

\*\* See Granger's Biographical History, vol. i. p. 65. Durham



Durham without acknowledging it; but, as bishop Nicholson observes, if he did, he has improved his story, adding years to many things confusedly related in that author. There are in his book many letters, speeches, &c. relating to ecclesiastical matters. He flourished in 1201. His history was published by Sir H. Savil. Francof. 1601.

RALPH DE DICETO, dean of London. He wrote about the year 1210. His "*Abbreviationes Chronicorum*" contain an abstract of our history down to the Conquest; and his "*Imagines Historiarum*" give the portraitures of some of our kings more at length, ending with the first years of king John's reign. Mr. Selden praises this author and his works, though bishop Nicholson says he usually copied literally from other writers. He is among the "*Decem Scriptores*."

WALTER, a monk of Coventry, was a clear and faithful writer. He lived in Coventry in 1217. He has some few things of note not to be met with in Geoffrey of Monmouth, or Hoveden, in his three books of "*Chronicles*," which are chiefly collections from the said authors.

MATTHEW PARIS, a Benedictine monk of St. Alban's, one of the most renowned historians of this kingdom. He was no inconsiderable poet and orator for the time in which he flourished; and is said to have understood painting, architecture, and the mathematics. His "*Historia Major*" contains the annals at large of eight of our kings, from William the Conqueror to Henry III. It was first published at London, 1571, and reprinted with additions and various readings, &c. by Dr. Watts, London, 1640. From the year 1259, wherein M. Paris died, to Henry III's death, it was continued by William Rishanger, a monk of the same fraternity. The whole work manifests a great deal of candour and exactness in the author, who tells us so particularly of the brave repulses given by many of our princes to the usurpations of the Roman see, that it is a wonder how such an heretical history came to survive

thus long. A fair copy of this history, supposed to be written by the author's own hand, is in the king's library at St. James's. He wrote an abstract of his history, which Lambard styles his "*Historia Minor*," having in it several particulars of note omitted in his "*Historia Major*." It is pretended that Paris had but a small hand in the whole history, having begun only at the year 1135, the rest being done to his hand by one Roger de Windlesore, or Windsor, (or Wendover Prior de Bealvair, as it is in the MS. copy in Cotton's library,) one of his predecessors in the same monastery. Matthew Paris gives us, says Granger, the most particular history of the wandering Jew, that is to be found in any author. He received this account from an Armenian archbishop, and one of his domestics, who were here in the reign of Henry III. and who affirmed, that they had their relation from the wanderer himself. This man is mentioned by a multitude of writers. Vide Wolfii "*Bibliotheca Hebræa*," tom. II. p. 1093; where these authors are enumerated. It is to be concluded hence, that there was such an impostor, and that he well acted his part.

THOMAS WIKES. His history begins at the Conquest, and ends at the death of Edward I. 1304. He was canon regular of Osney, near Oxford, and writes as clearly and fully, (especially in some passages relating to the barons' wars,) as so compendious a chronicle as his is would allow him to do. Dr. Gale has published this history in his "*Hist. Ang.*" vol. II.

MATTHEW, a Benedictine monk of Westminster, ended his history at the year 1307, though it was afterwards continued by other hands. He was a choice collector of the flowers of former historians, from whence he is usually stiled *Florilegus*. He entirely transcribes Matthew Paris. His most eminent continuator was Adam Merimuth, canon-regular of St. Paul's, and an eminent civilian, who in his latter days gave himself wholly to the reading and writing English history. He begins his work at 1302, and reaches to 1380.

## B O O K V.

### THE LINE OF LANCASTER.

*Containing the Reigns of Henry IV. Henry V. and Henry VI.*

C H A P. I.

HENRY IV. SURNAMED BOLINGBROKE\*.

ON the deposition of Richard II. Henry, duke of Lancaster, now (1399) about thirty-three years of age, ascended the throne. He was a person every way qualified for his high office, except in his title, which was not altogether unquestionable; for beside king Richard himself, who was descended from Edward, the eldest son of Edward III. the earl of Marche was then living, whose ancestor was Lionel, that monarch's third son, while his own descent was from his fourth son John. However, being so well supported on all sides, he immediately called a parliament in his own name, which consisted of the same members that king Richard had summoned not long before. In this parliament, which met six days after their being summoned, on the 6th of October, Henry being seated on the throne, the archbishop of Canterbury first declared the cause of their being called together, after which he acquainted them, that Richard's former summons was of no force, and that the Almighty, of his great goodness, seeing the desolate state of the kingdom, had sent

No. XXVIII.

Henry, duke of Lancaster, in order to the well governing of the nation in equity. He then strongly insisted on the duke's readiness and willingness to be advised and counselled by the wisest men of the kingdom; and also upon the excellencies of the English empire, "That no kingdom in the world could support itself without the assistance of others, so honourably, gloriously, and completely as this:" and then shewed, "That in the government of every kingdom, three things were especially requisite, justice, observation of laws, and liberty for all to live according to their ranks and degrees; and that it was the king's will, by the help of God, to make good these three particulars." He further declared, "That it was also his majesty's special will, that the holy church should enjoy all her liberties and franchises; that all the good statutes enacted in the time of his noble progenitors, should be inviolably observed, and that all the nobility, commons, and all others, should enjoy all their liberties and franchises, according to the grants made by his aforesaid progenitors. And that no man ought to censure any thing done by this parliament; for the king was resolved, in his faith and conscience, to do equal justice to all parties, according to the will, assistance, and grace of God afforded to him."

4 N

After

\* The place of his birth.



After this, and the dispatch of some formal matters, the parliament, by consent, was prorogued till the day after the king's coronation, the solemnization of which was appointed for the 13th of October being the anniversary of his banishment by king Richard \*. Immediately after his coronation, this wise prince used all necessary precautions to establish and perpetuate his power and authority; and particularly provided for the indemnities of all such as joined with him before the deposition of Richard, causing all the acts made by the parliament of the twenty-first of the late reign, to be revoked and annulled for ever. By this revocation his uncle the duke of Gloucester, the earl of Arundel, and several others, were freed from the infamy of that corruption in blood which follows executed traitors. At the same time the statutes made in the eleventh year of Richard II. were revived, and confirmed to be kept according to their full intent and purport, as tending to the promotion of the welfare of the kingdom. As the articles of those times exhibited against treasonable practices, usually extended so far as to give the prince too unlimited a power over the persons of his peers and people, this king reduced the case of treasons to a more certain head, utterly abolishing all such cases as were established in the late reign †. And for a farther security, in this parliament, after he had appointed the earl of Northumberland constable of England, the earl of Westmoreland lord marshal, Sir John Serle chancellor, John Newbury treasurer, and Sir Richard Clifford lord privy-seal, he created on the 15th of the same month (October) his eldest son Henry, then about thirteen years of age, prince of Wales, duke of Cornwall and earl of Chester, and shortly after duke of Gascony. The parliament entailed the crown upon Henry and the heirs of his body, to the utter exclusion of all others that could claim any right of sovereignty in the nation.

After punishing several of the late king's evil counselors in the most exemplary manner, in the latter end of this parliament, Thomas Arundel, the archbishop of Canterbury, charged all present, upon their allegiance, that what was then declared, should be kept secret from all mankind; and then it was demanded, for the security of the king, and all the estates of the nation, what should be done with the deposed king Richard: to which question all the lords, spiritual and temporal, unanimously declared, That he ought to be put under safe and secure guard, in a place where there was no concourse of people, and be kept by sure and sufficient persons, after the most secret manner, without any one who had been formerly servant to him. Thomas Merks, bishop of Carlisle, a person of great learning and spirit, dissented from the common opinion; and, according to Sir John Hayward, in a long and admirable speech, bravely defended the power and authority of the kings of England; and by several arguments drawn from the constitution of the nation, from profane history, and from Scripture, evinced, that neither king Richard could be legally deposed by the subjects, nor the duke of Lancaster legally succeed him, though he had been deprived in a just manner. He further displayed the innumerable mischiefs that usually attended and followed such unjustifiable proceedings: but his arguments were looked upon as the opinion only of a single person, and consequently not of the generality of the nation. Nay, so far was he from being encouraged, that he was ordered

to be arrested by the marshal, and committed to prison in the abbey of St. Alban's; though afterwards, without further censure, he was set at liberty. During this session of parliament, the archbishop had convoked a synod in St. Paul's Church, to whom the king sent the earls of Northumberland and Westmoreland, who declared to the clergy, That they were not sent to them to require their assistance in money matters, but to acquaint them with his majesty's resolution to confirm all their privileges and immunities, and to join with them, as they should desire him, in the punishment of all heretics and opposers of the established religion; for all which he only requested their supplications to God for the safety of himself and his posterity, and the prosperity of the kingdom; which all who were present solemnly promised.

These provisions king Henry made for his honour and security at home; and being sensible that his actions might be severely censured in foreign parts, he sent ambassadors to Rome, France, Spain, and Germany, to give reasons for his extraordinary proceedings. To Rome he sent the bishop of Hereford, Sir John Cheney, knight, and John Cheney, esquire; to France, the bishop of Durham, lord Thomas Percy, and William Heron; to Spain, the bishop of St. Asaph and Sir William Par; and to Germany, the bishop of Bangor and others: who were all armed with full instructions for the justification of their new advanced sovereign. In France they found the greatest difficulty in giving satisfaction, because the French king's daughter by this revolution lost the benefit of her marriage with king Richard; therefore, on account of their displeasure, a war was immediately threatened, or at least designed; but king Charles relapsing into his old disease of frenzy, and king Richard dying shortly after, all thoughts of hostilities were laid aside. But the inhabitants of Gascony were not so easily appeased; they vigorously supported their countryman king Richard; and those of Bourdeaux openly declared, "That since the world began, there never appeared a more cruel, unreasonable, and impious fact; that the good prince was betrayed by faithless men, and all law violated." Yet still the French were deceived in their hopes of converting these popular heats to their advantage; for, partly by the wisdom of the chief magistrates, and partly by comparing the security of the French government with the lenity of the English, they were kept firm. Lewis, duke of Bourbon, used every art which subtilty could suggest, or revenge excite to cause a revolt among the Gascons; but his designs were soon defeated by the arrival of Thomas Percy, earl of Worcester, with a competent force, sent thither with a view to withstand the French practices, and to restore the affection of the people.

King Henry was hardly established in his new-gained sovereignty, before a private body of enemies were meditating his destruction even under the shadow of his own protection. The deposed Richard was still alive, and though great numbers in the kingdom approved of his downfall, yet many did not; for some, moved by consanguinity and friendship, some by conscience and honour, others transported with envy and disappointments, and not a few with the remembrance of former benefits, or the hopes of future advantages upon a change, much desired to set Richard upon the English throne again. The manner of this conspiracy is variously

\* His coronation was solemn and even magnificent; and he was anointed with a peculiar oil which a religious man had presented to Henry the first duke of Lancaster, with a prophetic assertion. "That all kings anointed with that oil should be champions of the church." This oil coming into the hands of king Richard, as he was looking among his jewels, before his embarkation for Ireland, he was desirous of being anointed with it, but the archbishop prevented him, by assuring him, that it was not lawful to be anointed more than once. Upon his return into Wales, the archbishop of Canterbury procured the possession of it, and reserved it for the anointing of king Henry at his coronation: therefore Henry was the first king

of the realm that was anointed with it.

† The substance of the statute upon that occasion is, "Whereas in a parliament holden by the late king Richard, divers penalties of treason were ordained in such wise, that no man could be safe from the penalties by them laid down; it is enacted by the king, lords, and commons, that for the future, no treason shall be adjudged otherwise than it was ordained by the statute in the reign of his noble grandfather king Edward the Third of glorious memory. By which the net was broken, the perilous estate of subjects relieved, the people gratified, and the king secured in their affections."



related by different authors, but it is commonly agreed, that the principal parties concerned were such as had their lives spared in the last parliament, but had been stripped of a considerable part of their honours; as John Holland, earl of Huntingdon; Thomas Holland, earl of Kent; and Edward, earl of Rutland: the two first were half-brothers to king Richard, and the last his cousin-german, all three in the late reign having been dukes of Exeter, Surrey, and Albemarle. Besides these were John Montague, earl of Salisbury; Thomas lord Spencer, late earl of Gloucester; the bishop of Carlisle, Sir Bernard Broke, Sir John Shelley, and John Magdalen, chaplain to king Richard, and much resembling him in person. One of the principal instigators in this design was the abbot of Westminster, an entire friend to king Richard, and one who was greatly prejudiced against king Henry, because, when he was earl of Derby, he publicly declared, that the king of England had too little, and the clergy too much. The above-named persons, and some others, being assembled in a private and convenient place, the earl of Huntingdon declared, "that king Henry, by violently invading and fraudulently usurping the throne of his sole sovereign, was both a tyrant and an usurper, and such an one as it was lawful for any person, by any means, to destroy, without respect to his good or evil qualifications; since it was lawful for no man under his pretences to assume sovereign power. Therefore the example of the best commonwealths did not only permit such an action, but also honoured the actors with statues and titles, and rewarded them with the wealth and riches of the suppressed tyrant." In order to execute this scheme, it was necessary to use policy as well as force; and it was accordingly proposed and approved, that jousts and tournaments should be held at Oxford in Christmas holidays, between the earl of Huntingdon and twenty-more on his part, and the earl of Salisbury and as many more on his, to which king Henry should be invited; and when he was intent upon the spectacle, he should be suddenly surprised by such a number as at that time might be assembled without suspicion. Thereupon they all solemnly swore to keep the matter an inviolable secret; and an indenture *sextipartite* was likewise made between the lords, wherein they mutually bound themselves, in the strongest manner, to do their utmost to cause the ruin of the present and the delivery of the former king. They also concluded what forces should be raised, where and by whom they should be ordered and placed, as likewise to whom the execution of this exploit should be committed. In pursuance of this design, the earl of Huntingdon acquainted king Henry with the intended tournament between him and the earl of Salisbury, and begged to have the honour of his majesty's presence, and that he would be pleased to be their judge in case any difference should arise; to which he gave his consent. In the mean time every conspirator provided himself with as many followers as he could conveniently assemble, under the pretence of magnificence; and at the time appointed entered the city of Oxford, where the king with his retinue were expected to appear on the following day. The earl of Rutland was the only person wanting, who, having sent his retainers before, went to visit his father, the old duke of York, who resided in a country seat at Langley upon that road; where, being at dinner, the duke accidentally discovered a label of the indenture hanging out of his son's bosom; and justly supposing it something extraordinary, he forced it from him. Viewing the contents, the six seals, and his son's name, he was so incensed, that rising immediately from the table, he gave orders for his horse to be instantly got ready; reproaching his son for having been false to king Richard, and now proving a traitor to king Henry; that he was very sagacious in finding out inventions to ruin his father, who in the last parliament had been bound with him body for body; therefore, since he had so little value for his father's head, he could have as little for his. Hereupon the duke set out for Windsor. The earl

finding it an impossibility to withdraw his father from his purposed resolution, that the plot was discovered, and his life in the greatest danger, with the utmost expedition rode to Windsor another way; and being arrived before his father, upon pretence of an extraordinary accident, he procured the gates of the castle to be locked up: then taking the keys with him, he threw himself at the king's feet, and earnestly besought his majesty for mercy. The king, in great surprize, demanded his offence; which when fully related, he promised him pardon, provided his whole relation proved exactly true. Shortly after the duke of York being admitted into the castle, without waiting for introduction or ceremony, he hastened into the presence of the king, and presented him with the conspirators' contract. Henry, finding Rutland's account conformable to truth, deferred his journey to Oxford, resolving to wait the conspirators' new resolutions at Windsor. He also sent express messengers to the lord high-constable, the earl of Northumberland; and to the lord marshal, the earl of Westmoreland; and likewise to his other friends, that they might hasten to the court with what forces they could immediately assemble.

The conspirators, who were arrived at Oxford, concluded, with reason, from the absence of the earl of Rutland and the non-appearance of the king, that their plot was discovered. They had now no hopes of mercy, as having been before condemned and pardoned; therefore, in this desperate situation, they endeavoured to effect that by open force, which they could not accomplish by treachery. To effect their own safety, they clothed Magdalen with royal robes, who, as before observed, much resembled king Richard, therefore the multitude were the more easily deceived. To give the matter an air of plausibility, they reported, that being assisted by his keepers, he had escaped out of prison; by which means, in two or three days, in January 1400, they gathered together forty thousand men. They first resolved to seize upon the king at Windsor; but he receiving intelligence of their approach, had withdrawn himself to London, whither they intended to pursue him, and take him unprovided: this probably was their best course, but fear put a period to their design, when wisdom was more dangerous than rash attempts. The king upon his arrival at the metropolis was furnished with soldiers, and he provided himself a sufficient guard. Hearing of the advance of the adverse party, he marched out to meet them with twenty thousand men, who were all well affected to his cause, and therefore not terrified with the enemies' multitudes. They, on the other hand, apprehending the king's valour, and the instability of their own forces, avoided an engagement; and retired towards Reading, where king Richard's queen resided: they caused her to believe that her husband was at Pontefract, in Yorkshire, with an hundred thousand fighting men, and that Henry, duke of Lancaster, with his children and friends, had shut themselves up in the Tower, not daring to appear without its walls; and the better to colour this report, they threw down king Henry's arms, and took his badges from such of the queen's servants as wore them, as if Richard had been still on his throne. They made no further use of their dressed-up puppet, but changed their reports of Richard's deliverance and power as often as they changed their stations.

The conspirators leaving Reading, marched towards Chichester, where the earls of Kent and Salisbury took up their abode in a small village, and the earls of Huntingdon and Gloucester their's in another, leaving their army in the field. The populace of the neighbourhood being informed that affairs were the reverse of what they had reported, surrounded the house, about midnight, where the two former were lodged, who withstood their fury for many hours. Huntingdon, who was advised of this misfortune, could not afford them the least succour, for his troops, being seized with a panic, had suddenly taken to flight. This flight was occasioned by the imprudence of a priest, who, to di-



vert the assault, had set fire to some houses in the village, which made them imagine that king Henry had come in person, and fired the village. The townsmen, on the contrary, being by this the more enraged, resolved to extinguish the flames with the blood of their opposers, and consequently fought with greater fury than ever. So that Kent and Salisbury, being abandoned by their friends, and taken by their enemies, after many desperate wounds, were decapitated, and their heads were sent to London: twenty-nine of their company, barons as well as gentlemen, were taken prisoners, and sent to Oxford, where king Henry resided, and there they received the reward of their conspiracy. The earl of Gloucester, thinking to make his escape, was taken prisoner in Wales, and beheaded at Bristol; and Magdalen, flying into Scotland, was taken and sent to London, where he was executed. The earl of Huntingdon made several fruitless attempts to escape to France, being always driven back by contrary winds; and leading a wandering life, he was taken by accident, and carried to the late duke of Gloucester's house, where his head was struck off; the divine vengeance meeting him in the territories of a person of whose former murder he had been too much guilty. The abbot of Westminster, now finding the miserable effects of his counsel, fled from his monastery; but being seized by an apoplexy, escaped common execution: the bishop of Carlisle also died suddenly of a violent fever; according to some, he was first condemned, and had his punishment generously remitted by the king. Infinite was the number of others that were put to death; among whom many innocent persons suffered, who, under pretence of rebellion, or out of former resentments, were basely murdered: insomuch that king Henry, though of a moderate and generous disposition, was looked upon in this matter as too merciless and revengeful; for so much blood, both of the nobility and others, at one time, and for one offence, was never shed in any preceding reign since the Conquest. And it is further observable, that the principal of those who now so dishonourably lost their own lives, were nearly concerned in that of the duke of Gloucester's.

The unfortunate king Richard was still a stranger to all these transactions, and was reserved for the last scene of this dismal tragedy. His approaching death had now all the appearances of necessity, for which reason he was removed from the Tower of London to a castle in Kent, and from thence to Pontefract in Yorkshire, that the cause of his death might be unknown. That his death was unnatural and unjust is more than probable; but the manner of it is very uncertain, and differently related. Some declare, that when he understood the defeats and deaths of his chief friends, he became so disconsolate that he pined away, and, refusing sustenance, was starved; others, that for fifteen days he was kept without food, and, with the addition of cold, starved to death; and other historians acquaint us, that he had feasts set before him, but was not suffered to touch any thing, as if designed to imitate the fable of Tantalus, and aggravate his torments. The account that Holingshed gives, from a writer who seems to have had great knowledge of king Richard's actions, appears more probable, though it is too uncertain to be absolutely relied on. He relates, that some disagreeable expressions dropped from the mouth of Henry; so that Sir Pierce Exton undertook the death of king Richard, and, with eight other assassins, hastened to Ponte-

fract, as if he feared to be deprived of the honour of the action. Upon his arrival, the preface to the intended cruelty was the omission of the ceremony of tasting, that was usually paid Richard at his table, who, upon demanding the reason, was answered, That Sir Pierce Exton had brought such orders from king Henry. This caused Richard to strike the taster, and to curse the king by the name of Harry of Lancaster. Immediately after, Sir Pierce with his mercenaries entered, and shut close the door; which being perceived by the unfortunate king, he guessed their business, and with a resolution becoming his heroic father, snatched a battle-axe from the foremost, and bravely slew four of the assailants; and with no less courage fought with the rest, till Exton got upon a chair behind him, and with an axe struck him so violently on the head, that he instantly fell; and thus the miserable king ended all his calamities, upon the 14th of February, near five months after he had lost his crown. This was the fatal end of king Richard II. which afterwards caused the shedding of more blood than ever was experienced in this country, either before or after this transaction. His body was embalmed, and, except his face, was covered with lead: it was afterwards carried to St. Paul's church, where, out of policy, it was for three days exhibited to public view, and then obscurely interred at Langley in Hertfordshire, though afterwards it had a more public funeral in Westminster Abbey\*. It is observable, that in the three greatest exigencies of this prince's life, he appeared above himself; the first in the rebellion of Wat Tyler, the second in the resignation of his crown, and the last in the loss of his life. The first he performed with a skilful ardour beyond his age, the second with a steady calmness above the ordinary temper of man, and the last with a courage equal to that of the greatest hero.

King Henry, now more firmly seated on his throne, thought it convenient to divert the people from the remembrance of the late tragical event; and with that view an expedition into Scotland was undertaken: the expedition was occasioned by the unreasonable demands of the king of that country, who declared he would not keep the peace, unless king Henry would deliver up the lord Dunbar, earl of March, contrary to his royal promise of protection. The valiant Henry chusing rather to make Scotland the seat of war than to expect king Robert's arrival in England, marched with a well-disciplined army into the bowels of the country, where he burnt towns, villages, and castles, sparing nothing but religious houses and churches. Then advancing to Edinburgh, he burnt a great part of that city, and the neighboring town of Leith; he laid siege to the castle of Edinburgh, which was defended by prince David the governor, with the earl of Douglas, and many other experienced officers; but, as the season was far advanced, and as the rains and damps began to occasion sickness among Henry's forces, he suddenly raised the siege, and retired into his own dominions.

During the siege, the duke of Albany, governor of the realm, sent a herald to king Henry, assuring him, that if he would defer his coming, within six days he would give him battle, and raise the siege, or else would forfeit his life. The English king was so pleased with the message, that he rewarded the herald with a chain of gold and other gifts, promising not to depart during the appointed time of the governor. But after many six days had elapsed, without any appearance of the

\* King Richard's body was removed by order of Henry V. from Langley, to a magnificent monument prepared for it by that monarch. It is on the south side of the royal chapel of Edward the Confessor, at the head of Edward's the Third's tomb. Upon it are placed the effigies of Richard, and Anne his queen, in gilt copper. The following inscription is placed on the monument:

*Prudens & mundus Richardus jure Secundus,  
Per fatum victus, jacet hic sub marmore pictus;  
Verax sermone fuit, & plenus ratione:*

*Corpore procerus, animo prudens ut Omerus.  
Ecclesia favit, elatos suppeditavit,  
Quemvis prostravit regalia qui violavit,  
Obruit hæreticos, & eorum stravit amicos:  
O clemens Christe, tibi devotus fuit iste.  
Votis Baptiste salves quem protulit iste.*

The beautiful picture of a king sitting, crowned in a chair of state, at the upper end of the choir in Westminster Abbey, is said, by Stowe, p. 615, to be his.



governor, upon the account of colds and rains, as well as sickness and want of provisions, king Henry broke up the siege, and left Scotland without offering battle. During his stay in Scotland, he shewed a more than ordinary esteem to the religious houses, and treated the people of such places with great respect, being gratefully mindful of the obliging and generous entertainments the duke of Lancaster his father had found among the monasteries, when he fled into Scotland for refuge, in the time of the rebellion in England.

The affairs of England seemed now in a prosperous condition, and would doubtless have continued so, had not the Welsh, who had paid obedience to so many kings of England, contrary to the expectation of every body, broke out into open acts of hostility, under the conduct of Owen Glendour\*, lord of Glendour, or Glendowrdwy, in Merionethshire. This man was descended from the youngest son of baron Bromfield; he repaired to London in his youth, with intention to study the law; but, being soon weary of that profession, he betook himself to the service of king Richard, and was one of his household servants. Shortly after becoming as tired of that profession as the former, he retired to his possessions in Wales; which bordering upon the lands of Reynald Gray, lord Ruthyn, after a violent dispute, burning of villages and houses, and killing of servants, he met with that lord, and in a rencontre took him prisoner. Glendour daily increasing in power, the Welsh, who were displeased at king Richard's deprivation, and enraged at his death, soon took up arms, and chose him for their commander, who immediately committed devastations in several parts. Upon Henry's receiving intelligence of these transactions, he marched with an army into Wales, wasting, destroying, and taking such revenge as time and opportunity would permit. In the mean time Glendour, whom pride and indiscretion had armed for the further ruin of his country, retired into the inaccessible fastnesses of Snowdon, where, for this campaign, he secured himself from the impending storm; and shortly after the king returned with such spoils as the country afforded. At the close of this year, Manuel Paleologus, emperor of Constantinople, came into England, with a view to ask Henry's assistance against the growing power of the Turks, under the celebrated Bajazet; and upon St. Thomas's day he was met at Blackheath by king Henry, magnificently entertained at London, received rich presents, and was treated in a manner conformable to his dignity.

In a parliament held in January, 1401, it was enacted, by reason of the increasing numbers of the Lollards, that they should be punished by burning†. This year the articles of peace were first agreed upon between the English and the French nations, notwithstanding the latter denied to unite in marriage the lady Isabel with the young prince of Wales. The lady Isabel had been crowned queen of England, because she was betrothed to the late king; but she was now sent back to France in a magnificent manner; and, as she was only twelve years of age, and the marriage not consummated, no dowry was allowed her in England. When she was restored to her friends, lord Henry Percy, before the ambassadors of both nations, who met between Calais and Boulogne, openly declared, "That the king of England his master had sent her to be delivered to her father, free from all bonds of marriage, or other obligations; and that he would take it upon his soul, that she was found and untouched, as she was when delivered to king Richard, and if any said to the contrary, he was ready to prove it by single combat‡." But the earl of St. Paul declaring, that he believed it to

be true, lord Percy took her by the hand, and delivered her to the earl; after which the commissioners of France gave letters of release and acquittance: she was sometime afterwards married to Charles, duke of Orleans. In the mean time Henry was much in danger of his life, even in his bed-chamber; for a dangerous engine was discovered in his bed, with three long and sharp iron spikes, all with their points upwards; but the king having perceived it before he laid himself down, escaped the danger, though he could never discover the perpetrator.

During these transactions Owen Glendour, swelled with his success against lord Ruthyn, became more and more insolent, and in the beginning of 1402, entered with his forces into Herefordshire. In this county Edmund Mortimer, earl of Marche, lived in a private condition; so that by keeping at a distance from court, and living without splendour, he might avoid those dangers which in the present conjuncture threatened him, as next lawful heir to king Richard. Glendour, practising his accustomed cruelties, awakened the inhabitants of the county, who, under the conduct of the earl of Marche, endeavoured to stop his progress and chastise his insults. In a short time a sharp battle was fought; in which Glendour had two advantages, a greater number of forces, and good military conduct; by which means he obtained the victory. On the other side, the Herefordshire men, fewer in number, led only by necessity, kept the field till night, rather by obstinacy, than by reason. At length they yielded, but fled not, there being none to pursue them; for Glendour, satisfied with the advantage, finding himself in an enemy's country, the night dark, and many of his followers slain, forbore all pursuit of his foes. Two thousand Herefordshire men were left dead on the field, the earl himself was taken prisoner, and without respect to his person, kept in the bottom of a tower; nor did king Henry, though much importuned, strive to procure him the liberty he had lost, for he considered the imprisonment of the earl of Marche as one of the most fortunate events that could happen for his own safety.

Still Henry could enjoy no settled peace; for about this time several conspiracies were discovered in embryo, all which were supported by calumnies and forgery; for, by the first, Henry's actions were traduced in libels, and by the second Richard was reported to be still alive, in order to raise a new head of secession. Henry, thus wounded in his honour, and endangered in his person, resolved to spare none upon whom the crime or concealment was found. The first that felt the hand of justice was a priest of Ware, with whom was found a list of names which he collected, supposing them such as out of gratitude and conscience would hazard all for king Richard. This curiosity created great trouble to many, till it appeared that he wronged them, and that they were persons utterly ignorant of the priest or the conspiracy: thus it was clear that he intended to involve many people in one common ruin, and he was sentenced to be drawn and hanged; which sentence was accordingly put in execution. Walter Baldock, prior of Laund, was treated in a similar manner, who confessed he had concealed the treason of others, though he had not acted himself. A friar minor also being taken, with some others of his order, was asked, what he would do if king Richard was alive and present? he confidently replied, he would fight for him to the last minute of his life against all opposers; for which he was drawn and hanged in his friar's weeds. Nor did this hard fortune fall only upon the clergy; for Sir Roger de Clarendon, natural son to the famous Black Prince, together with

\* In the Collection of Public Acts his name is invariably spelt Glendowrdwy.

† No sooner was this act, for the burning of obstinate heretics passed, than William Sawtre, parish priest of St. Olith in London, a Lollard, was condemned by the ecclesiastical court, and being delivered over to the secular power, was

No. XXVIII.

burnt, by virtue of the king's writ *De Heretico Comburendo*, directed to the mayor of London. Sawtre was the first who suffered death in England, on account of religion, says Rapin.

‡ Such was the mode of maintaining the truth in the days of our ancestors.



one of his esquires and servants, finished their affections to king Richard by suffering an ignominious death. Not long after eight friar minorites were taken, convicted, hanged, and beheaded, for the same cause; and this circumstance occasioned the king to be a severe master towards their whole order\*. Notwithstanding the branches were thus lopped off, the roots still remained. These were the Percys, the earls of Northumberland and Worcester, and Henry Hotspur; who now thinking they had done unjustly in setting up king Henry, began to form those bloody designs, which were afterwards put in practice. King Henry, however, not yet knowing their intentions, in September led an army into Wales, to take revenge upon his rebellious subjects, where he was in danger of perishing by the sudden storms and rains, which were much more terrible than ever had been remembered; so that having made some devastations in the country, he returned to England.

The king succeeded better in the north, where his lieutenant had gained two signal victories over the Scots, the one at Nisbet, and the other at Halidown-Hill, near a village called Wooller. The Scots marching with ten thousand men under the conduct of the brave and intrepid earl of Douglas, had made great ravages as far as Newcastle, but in their return were courageously encountered by the earl of Northumberland, and his valiant son Henry Hotspur, with the earl of Dunbar, and entirely defeated. This victory is in a great measure attributed to the gallantry and valour of Hotspur's strong archers, against whose piercing arrows, neither the shields of the Scottish soldiery, nor their best armour could protect them. Earl Douglas the general, after much bravery, and sealing his valour with five wounds and the loss of an eye, was taken prisoner, with Murdoc Stuart, earl of Fife; George, earl of Angus; the earls of Murray and Orkney, the lords Montgomery, Erskine, and Graham, and about fourscore knights, besides esquires and gentlemen. The lords Courdon and Swinton, with several other noblemen, were slain upon the field; and above five hundred in their flight were drowned in the Tweed. This victory was obtained upon Holy-Rood Day, in the time of harvest. In the same year Edmund of Langley, duke of York, and fifth son of king Edmund III. departed this life, and was buried at Langley with his brothers, leaving an untainted honour, and an untarnished reputation.

In the following year, 1403, king Henry married a second wife, Jane of Navarre, widow of John de Mountfort, duke of Bretagne, by whom she had both sons and daughters, but not any by the king. He married her at Winchester; but he was not entrusted with the custody of any of her three sons, John, Richard, and Arthur, who remained in France. King Henry now daily increased in power and grandeur; yet in a short time, he, together with the nation, were involved in greater troubles and calamities than had been felt before. For the great earl of Northumberland, with his uneasy brother the earl of Worcester, and his son Hotspur, who had been formerly great friends and assistants to king Henry, now began to envy his wealth and happiness; but were particularly displeased at the king's demanding of them

such Scotch prisoners as had been taken at Nisbet and Halidown: for of all the prisoners taken at those places, only the earl of Fife had been delivered to the king, though he had several times required the remainder. The Percys, accounting them as their own proper prisoners, were highly offended, and, by the advice of the earl of Worcester, whose design was to embroil the public affairs, they repaired to the king at Windsor, with a view to discover his intentions. They boldly required of him, that, either by ransom or other means, he would set at liberty their cousin Edmund Mortimer, earl of Marche, whom Owen Glendour had kept in a loathsome prison, for no other reason than because he had been true and faithful to him. The king, after consideration, made answer, that the earl of Marche was not made prisoner for his cause or service, but willingly suffered himself to be taken, because he would not oppose the attempt of Glendour and his accomplices, therefore he would neither ransom nor relieve him. This answer so kindled the fiery spirit of Hotspur, that he cried out, "The heir of the realm was robbed of his right, and the robber would not allow him part of his own for his redemption;" and the Percys, being highly chagrined and enraged, departed the king's presence, resolving to set up the earl of Marche, whose deliverance they not only procured, but also entered into a confederacy with Owen Glendour†.

The first who appeared in arms was Hotspur, who, under pretence of the Scotch war, erected his standard near Chester and the Marches of Wales. To him repaired the earl of Worcester, leaving the young prince of Wales, and the prince's household, over both which the king had placed him. And now the torch of war was lighted up, and began to blaze; for though the chief mover, the earl of Northumberland, had not yet joined them, as he designed, yet their numbers increased exceedingly, with which they proposed to enter Shrewsbury, and to make that place the seat of war. Here they issued out manifestos, declaring their reasons for thus appearing in the field, as, "First, That the public money had not been employed in the real defence of the nation, but unduly wasted. Secondly, That by reason of malicious informations to the king, they could not with safety approach him, to declare their innocence, unless the prelates and peers of the realm first interceded for them. Thirdly, They took up arms only to secure their own persons, and see the kingdom governed in a more equitable manner." These were their outward pretensions, but their real designs and resolutions were not only to depose king Henry, and advance the title of the earl of Marche, but likewise to share the whole kingdom between three persons, the earl of Marche, the earl of Northumberland, and Owen Glendour. Concerning which partition an indenture *tripartite* was signed and sealed by them, by virtue of which all South England was to remain to Mortimer, North England beyond Trent to Percy, and Wales beyond the river Severn to Glendour. Besides this, the earl of Douglas their prisoner, as a person highly serviceable, by common consent for his share, was allowed to be free from ransom, and to have the town of Berwick assigned him‡.

On the other hand king Henry, attacked in so

\* It was confidently reported, that a little before this discovery, the devil appeared in the habit of a minorite at Danbury church, to the incredible astonishment of the parishioners. This appearance was succeeded by a prodigious tempest of thunder and lightning, which had wonderful effects upon the fabric of the church. Such was the credulity of the age, that idle stories, however improbable, were implicitly believed.

† Here we cannot help noticing a strange observation which has been made by some historians respecting the earl of Marche, that on the night wherein he was born, all the horses in his father's stable were found up to their bellies in blood: a dreadful prodigy, which afterwards seemed verified by more dreadful events, when upon the contest of Mortimer's title, by which the house of York claimed the crown, the war-horses might be said rather to swim than to stand in blood. Here also Wallingham tells us of strange apparitions that were seen this

year between Bedford and Biggleswade, where several monsters of divers colours in the shapes of armed men, were often seen to issue out of the woods, and to encounter each other after a terrible and unheard-of manner. But such fabulous relations, though eagerly believed in his time, will find no supporters in the present day: they, however, serve to shew the credulity of the age; and on that account they are here recorded.

‡ Some historians of tolerable credit, have not scrupled to affirm, that this was done out of a foolish credulity given to a vain prophecy of Merlin's, by which many thought, that king Henry was the mould-warp, cursed by God's own mouth, and that Mortimer, Percy, and Glendour, were the dragon, the lion, and the wolf, that should divide the realm among them. In order further to strengthen their power, it was reported, that king Richard was still alive, and that he was confined in the castle of Chester.



unexpected a manner, defended his cause by proclamations and manifestos, and threw all the guilt upon his accusers, declaring, that he was extremely surprized, since the earl of Northumberland and his son had the greatest part of the public money delivered to them for the defence of the borders against Scotland, why they should make that the ground of their pretended grievances. And to remove all pretence of fear from the conspirators, he sent to the three Percys a safe conduct under his royal seal, by which they might come and return without molestation; but, as our author words it, unbridled rashness despising the royal clemency, hurried them on to the height of rebellion. In the mean time, the king, armed with the utmost expedition against his enemies, and being attended by the earl of Dunbar and the young prince of Wales, advanced with a considerable force within sight of Shrewsbury, when the furious Hotspur stood ready to attack the town; who no sooner discovered the royal standard, but he abandoned that enterprize to draw up his army in order of battle, which consisted of fourteen thousand men, eager to try their fortunes against a well-tempered and experienced adversary. Peace had notwithstanding ensued, by the exceeding tenderness of the king; but the malignant earl of Worcester, by misrepresenting and falsifying the king's proffers, precipitated his nephew into a sudden and rash engagement. This battle was fought with great obstinacy and bravery on both sides; and the two champions, Hotspur and Douglas, instead of spending their strength upon the multitude, resolved to encounter the king in person, as in whose death they knew ten thousand would fall. Accordingly they rushed forward with a fury scarce to be equalled; but the prudent earl of Dunbar discovering their design, drew the king from the ground he had chosen, and probably saved his life; for the royal standard was overthrown, the earl of Stafford, Sir Walter Blount, and ten new-made knights, were destroyed by the force of these sudden efforts. Douglas slew three several persons in the king's coat-armour; so that many of his soldiers, believing they had lost their general, quitted the field. But the king, whose valour was equal to his danger, by his undaunted courage restored the battle, and with his devouring sword performed wonders, killing no less, according to some historians, than six and thirty with his own hand. The prince of Wales, then but fifteen years of age, and first entered into the school of war, now gave signal instances of his courage, and no less happy omens of his future glory; and being so wounded in the face that several noblemen offered to carry him out of the battle and danger, he disdained to retire, and fought bravely to the last. After three hours dreadful conflict, the fall of the great Hotspur put an end to this tragical scene, who, riding in defiance of death and all difficulties, was slain by an unknown hand, drawing a ruin after him suitable to his spirit and bravery: for there fell with him most of the esquires and gentlemen of Cheshire, in number two hundred, and about five thousand common soldiers. The rest fled; but the king generously declining to make further execution of his misguided subjects, suffered them to fly without attempting to pursue them. This victory was gained with the loss of sixteen hundred men upon the 21st of July, in memory of which the king founded a college on the place, and called it Battle-field\*. The valiant Douglas, together with the earl of Worcester, the baron of Kinderton, and Sir Richard Vernon, were taken prisoners: the first, who once unhorsed the king, and no

subject to him, was for his courage set at liberty without ransom; but the other three were all beheaded two days after the battle. The body of Hotspur, though permitted to be buried, was afterwards taken up and quartered, its members being sent to several parts of the kingdom; and this was the fate of one of the bravest warriors of the age, who, until this unfortunate day, had ever been fortunate, victorious, and triumphant.

Shortly after the earl of Northumberland, pretending to advance with forces to the king's assistance, was diverted from his purpose by the earl of Westmoreland, and Sir Robert Waterton, who had raised a considerable power. Northumberland rightly judging that neither of them was his friend, suddenly turned towards his castle of Warkworth, supposing that nothing could secure him against the victorious army of the king. The king, therefore, having settled affairs in the marches about Shrewsbury, advanced to the city of York, with a view to provide against future exigencies. He commanded the earl of Northumberland to repair thither in person, which the earl accordingly did on the 11th of August, arriving with a small train as a petitioner. He could not hope for the usual favour of the king, nor did he obtain it; for it was judged sufficient to have his life pardoned, though his estate and liberty were abridged†, the king only allowing him as much of his estate as might be sufficient to support him in the character of a gentleman. Having settled his affairs in the northern counties, the king resolved to return towards North Wales, to chastise the presumptions of some of the inhabitants; but as his coffers were not sufficient to support him in this enterprize, the archbishop and clergy afterwards consented to supply him with a tenth. The valiant exploits of William de Wilford, an esquire, who was then cruising upon the Narrow Seas, brought some assistance; for he took forty lawful prizes, laden with iron, oil, soap, and Rochelle wines, to the quantity of a thousand tuns, upon the coasts of Bretagne, and in his return set forty sail on fire. And in order to strike terror into the Breagnes, he landed at Penarch, burnt the towns and houses for several miles round; and afterwards laid the town of St. Matthew in ashes, and wasted all the neighbouring country. The French, not to seem slow in the like ravages, landed at the Isle of Wight, but were compelled to retire to their ships, with great loss, and with less success than the Breagnes, under the command of the lord of Castile, who had not long before landed at Plymouth, and burnt that place.

The king having humbled the earl of Northumberland, now thought it necessary to take him again into favour, and restore him to his estate, but not without secret respect to his own security. This restitution was made to the earl in a parliament held at London about the middle of January, 1404, where the king obtained an usual tax or subsidy, of which no record or writing was suffered to remain, being burnt by the king's order, that it might never be used as a precedent‡. The king had soon occasion to part with some of his money; for a troop of west-countrymen presented themselves before him, with three French lords, and twenty knights of note, whom they had taken prisoners at Dartmouth, for which they received a handsome reward. From these persons the king understood that the lord of Castile, who had formerly burnt Plymouth, expecting to do the like at Dartmouth, had landed with his forces, where he was fiercely engaged by the peasantry of the place, and his troops were compelled to surrender. The lord of Cas-

\* In a field within the parish of Aldbroughton, about a mile north of Shrewsbury, (Iceland. Itin. vol. iv. p. 101.) where on king Henry IV. fought and overcame Henry Percy, and other rebels on the eve of St. Mary Magdalene, A. D. 1403, the said king, anno regni 11. or rather Roger Ive, clerk, erected and endowed a little college of a master and five secular chaplains to the honour of St. Mary Magdalene, together with an hospital for several poor persons. The yearly revenues were worth, 26 Hen. VIII. 66l. 1s. 4d. in the whole, (vid. Laner-

cost's MS. and Valor. in Offic. Primit.) and 54l. 1s. and 10d. clear. See Tanner's Notitia Monastica, edit. Nasmith.

† The king deprived him of the Isle of Man, which he had presented to him in the beginning of his reign.

‡ The subsidy was twenty shillings upon every knight's fee, one shilling and eight-pence upon every one that had twenty pounds a year in land, and one shilling in the pound for money, and goods, &c.



tile himself slain. The French also made a descent upon the Isle of Wight, and the duke of Orleans sent a particular challenge to king Henry; but neither of them to any great effect. All this summer Owen Glendour and the Welsh burnt and ravaged the marches, killed and took many prisoners; and, partly by force and partly by fraud, gained several castles, demolishing some, and fortifying others. To add to these troubles, the Flemings and Breagnes took several English merchant-ships, and put the sailors to death\*.

King Henry's reign was all this time full of troublesome and disastrous events. One difficulty being encountered, another presented itself, and the event appeared always doubtful; for his subjects former desire being almost extinguished, his friends failing, and his enemies increasing, he had no other support in so painful a descent but his own vigilance and conduct; aids, which though they might assist him in his necessities, yet they were not sufficient to preserve him from great weariness. King Richard had been several times said to be alive after his death; more particularly this year, by means of the letters of Serle, who had been one of the gentlemen of his chamber. This man, after his master's fall, withdrew himself into France, where being assured that Richard was still alive in Scotland, he repaired to that country with a view to search into the truth of the affair. After he had seen and spoken with the impostor, whom he knew to be such, he embraced the opportunity; and through hatred to king Henry, he caused a seal to be made like that of king Richard's, and wrote several letters to his friends in England, sealed with the same; insomuch that he distracted the minds of many, who really concluded, that there were no imposition, and that Richard was still alive. The old countess of Oxford, mother to the duke of Ireland, not only published a paper declaring the certainty of it, but likewise caused many stags made of gold and silver, the former badges of Richard, to be given to her dependants, that they might wear them on their clothes, as soon as Richard entered England. But her indiscreet management in this affair, and her publicly sending her secretary to the inhabitants of Essex, were the cause of the discovery; for which she ended her days in close confinement, with the confiscation of her estates, and the secretary Serle was hanged at London†. Thus did this mighty affair dwindle into nothing, as did another not long after, which was promoted in a parliament which met at Coventry on the

6th of October, called the *Lack-learning Parliament*; either from the ignorance of the members, or their hatred to learned men: in which, to supply the king's necessities, a bill was exhibited against the temporalities of the clergy; but by the courage of the archbishop of Canterbury, who declared, that it was the enriching themselves, not of the king, that they respected in their sacrilegious attempts, and by the particular care of the king, who vowed to leave the church in no worse state than he found it, the motion ended in nothing but the infamous memory of the projectors.

In the beginning of 1405 several noblemen became extremely dissatisfied at king Henry's grandeur: among these Thomas Mowbray, earl-marshal, was principal. He persuaded Richard Scrope, archbishop of York, to enter into a conspiracy, as likewise the earl of Northumberland, lord Bardolf, the citizens of York, with great numbers of common people to assist in their cause, which was glossed with the specious pretence of redressing public abuses, arising from the king's mismanagement§. The earl of Westmoreland hearing of this attempt, in which the earl-marshal and the archbishop were leaders of a numerous multitude, gathered a considerable force to encounter them; but perceiving his troops were by no means strong enough to engage those of the adverse party, he pretended to approve of their quarrels; by which stratagem he found means to get them both into his possession, and made a very acceptable present of them to the king at York, where both the archbishop and earl-marshal were publicly beheaded, notwithstanding the earl of Westmoreland had before promised them their lives. The pope afterwards excommunicated all such as were concerned in the archbishop's death. These were dangerous times for the king, who not being satisfied with the blood of these two great men, vigorously pursued the duke of Northumberland and lord Bardolf with an army of thirty-seven thousand men; but as they were not in a condition to resist so mighty power, they took Berwick for their refuge. The king immediately marched against them, but they made a precipitate retreat into Scotland, where they were entertained by lord Fleming. The town of Berwick in expectation of succours from Scotland, stood out; upon which the king planted a battering piece against a tower in the wall, which soon threw down the tower, and the defendants immediately yielded upon hard and desperate terms; for they were

\* In this year died the famous William of Wickham, bishop of Winchester, who left behind him many noble monuments of his zeal to religion, and love to the church; he founded New College in Oxford, and another at Winchester. We are told by Trusell that this prelate was intrusted with a strange and important secret relating to John of Gaunt, duke of Lancaster, father to this king Henry; particularly that his mother Philippa should in confession upon her death-bed acknowledge to him, that John was a supposititious child, and that he ought to use all methods to prevent him or his progeny from ascending the throne of England: and that upon the bishop's discovering this secret to him, he ever after bore him a mortal hatred.

† Serle, says Echard, finding his plots abortive, and being unable to return to France for want of money, came to Berwick, hoping that Sir William Clifford, a friend of king Richard's, would have furnished him. But Sir William having incurred the king's highest displeasure, by detaining Berwick against his will, found means to purchase his pardon by delivering up Serle to the king at Pontefract. Shortly after Serle was executed at London, who likewise confessed that he was one of the persons that murdered the duke of Gloucester at Calais.

‡ According to Rapin, the king in the writs of summons commanded the sheriffs not to return any learned men for knights of the shire or burgesses for the cities and towns: and according to others, he particularly desired that no one who had any skill in the law should be chosen.

§ The conspirators published a manifesto on this occasion, which they caused to be placed at the church doors of the city of York, that every one that chose might have an opportunity of perusing it. The following is the substance of the articles:

I. That Henry upon his return to England had protested

and sworn, that he was only come to recover his estate, and that he had no design upon the crown, and yet he had caused himself to be crowned king.

II. That as an arch traitor he had imprisoned his sovereign, and forced him to resign his crown, and then barbarously murdered him.

III. That after the death of Richard, he unjustly detained the crown from Edmund Mortimer, earl of Marche, to whom it lawfully belonged.

IV. That he had unjustly put to death several persons of quality, who were guilty of no other crime than endeavouring to redress the mal-administration of the government, and that, contrary to law, he had imprisoned the bishops by his sole authority.

V. That he had oppressed the people with needless taxes, and by his threats had hindered them from complaining.

VI. That he had violated the privileges of the nation, and his oath to maintain them, by taking away the freedom of electing members of parliament.

VII. That at a parliament held at Winchester, he had given his assent to a very pernicious statute against the Roman church, and the authority conferred upon St. Peter and his successors: that therefore simony, perjury, and other disorders had crept in among the clergy as well as nobility, who sold the vacant benefices to persons unqualified to serve the cure.

VIII. That notwithstanding the frequent instances of several lords of his council, he had refused to pay the earl of Marche's ransom, and shifted off his just petition, by falsely charging that prince with having voluntarily yielded himself a prisoner to the Welsh.

IX. That upon these accounts they had taken up arms, with design to free the nation from the oppressions of this tyrant, and place the lawful heir on the throne.

partly



partly hanged, and partly imprisoned. Berwick being thus recovered, the king took Alnwick, and all the other castles belonging to the earl; and expecting the like good fortune in Wales, he entered that country, where he was not so successful, by reason of the sudden floods of waters, which destroyed his carriages, together with upwards of fifty wains laden with treasure: therefore he returned to Worcester. Owen Glendour, the Welsh chief, fearing the king would take revenge for some of his former actions, had before confederated with the French, who sent a body of forces in a hundred and forty ships to his assistance, but with the loss of most of their horses in the passage, for want of water. The lord Berkeley and Henry de Pay burnt fifteen of their ships in the harbour of Milford Haven; soon after they laid siege to the town of Caermarthen, which, upon permission of marching out with bag and baggage, was surrendered.

The king being again in want of money, he once more solicited the parliament; and after much reluctance and delay, in March, 1406, they furnished him with a subsidy, granting him, among other things, three shillings and four-pence on every stipendiary and chantry priest, and also on every Mendicant friar. Some part of this money was employed in secret practices with the Scots, that the earl of Northumberland and lord Bardolf might be delivered into his hands, in exchange for some prisoners of that nation. Upon notice of which, these two noblemen fled into Wales; and the Scots missing their purpose, slew Lord Flemming for discovering their intentions to his distressed guests, as by the laws of honour and hospitality he was obliged. This transaction filled Scotland with new civil discords; to avoid the dangers of which, and for the improvement of his education, Robert, king of Scotland, sent his son and heir by sea into France, who being taken at sea, together with the bishop of Orkney, by some Norfolk mariners, he was presented to king Henry, who detained him prisoner in the Tower of London: but afterwards he gave him such a noble education, as to all princely qualifications, that the Scots and the young prince had reason to conclude, that king Henry's care turned all to the advantage of them and their king. In the mean time, 1407, the French prosecuting their affairs in Wales, sent thither thirty-eight transports equipped with soldiers, of which number the English took eight, and not long after fifteen sail laden with wax and wine. This success was, however, far inferior to the great service which Henry Pay, with some ships belonging to the cinque-ports, and about fifteen others, performed against a numerous fleet of an hundred and twenty sail, laden with iron, salt, oil, and Rochelle wine. About the same time a person was executed for setting up bills in several parts of London, containing news of king Richard being still alive.

In the same year a dreadful pestilence destroyed multitudes of people throughout the kingdom, especially in London, where, within a short space of time, no less than thirty thousand were swept away by the unrelenting hand of death. But the most memorable was the death of the venerable captain Sir Robert Knolles\*; a man born of mean parents, but by his valour and abilities raised to the height of glory under king Edward III. after which he became highly celebrated for many works of charity and magnificence; among which the famous stone bridge at Rochester in Kent was one.

In the mean time, the war with the Welsh was managed by young prince Henry, who took the castle of Aberystwith in 1408; but Owen Glendour shortly after retook it, and garrisoned it with some of his own followers. Thus Glendour prospered for a short time; but the unfortunate earl of Northumberland and lord Bardolf, leaving Wales, and raising new forces in the north

to assert their rights, were encountered by the sheriff of Yorkshire, who after a sharp conflict slew the earl in the field, and so dreadfully wounded lord Bardolf, that he shortly after died. This success did not hinder the king from pursuing his journey that way; but arriving at York, he laid heavy fines upon many, and put others to death, according to the magnitude of their crimes. The bishop of Bangor and abbot of Hales, who were taken prisoners, met with different fates according to the diversity of their habits; the abbot being taken in armour was hanged†, the bishop being taken in his own clothes was pardoned. The heads of the two peers were severed from their bodies, fixed upon spears, and placed upon London bridge to deter others from falling into a similar error: and this was the miserable end of father, son, and brother, and almost the period of one of the most valiant and illustrious families in the kingdom; all which was owing to a mere caprice of honour, which engaged them in a quarrel with a mighty monarch, from whom they thought their extraordinary merit ought to have met with no repulse: a presumption that has and will deceive many: for princes will not acknowledge any superior, nor that they received their being from their subjects; the very idea of which is not easily pardoned. Here king Henry's adverse fortune seemed to have a conclusion; and in this calm he quitted all domestic suspicions and jealousies, having in the rest of his short reign only some small foreign armies, which did not so much weary him, as keep him in exercise.

The tranquillity of Christendom having been long violently disturbed by a schism, raised by the ambition of two opposite popes, of whom one was chosen at Rome, the other at Avignon, as before mentioned, by contrary factions of the cardinals; a general council was summoned to be held at Pisa, in Italy, to which place king Henry sent ambassadors in 1409, and the clergy elected Robert Alun, chancellor of Oxford, and bishop of Salisbury, to signify, that unless both popes would decline the pontificate, neither of them for the future should be acknowledged as head of the church. The king in his letter to pope Gregory charged him with perjury, and that this papal emulation had been the cause of the deaths of more than two hundred and thirty thousand Christians, slain in wars at different times, each pope having published crusades, engaging the various princes of Europe in their separate interests; so that many thousands of lives were lost in defending one of these prelates against the other. There assembled a great number of cardinals, archbishops, bishops, and other mitred prelates, who pitched upon Peter de Candia for the new pope, whom they elected under the name of Alexander V. He had been trained up in Oxford, where he took his degree in theology. By this means the other two, who had long and violently contended for the holy see, were set aside.

These contests and schisms in the church did not so much disturb the clergy of England, as the increase of the doctrines of Wickliff. Notwithstanding the severity with which the Lollards had been treated, as beforementioned, their numbers daily augmented, and their doctrines met with greater approbation. The doctrines were even defended by several doctors at Oxford, both in their disputations and writings. The bishops in particular became greatly alarmed at it, and obtained an order from the king for the members of the university to meet in convocation, to examine the writings of Wickliff. As the major part of the doctors and students were still attached to the *old doctrine*, his books were condemned‡, and the university published a decree forbidding all her members, upon pain of degradation, to preach or teach the doctrines therein contained.

In the mean time, Owen Glendour, after infinite

\* He died at his manor of Scene Thorp, in Norfolk, and was buried with his lady in the body of the church of the White Friars, which he had newly built. Dugdale, vol. 11. p. 412.

† See also Speed, vol. 11. p. 620.

‡ The books condemned were "De Sermone in Monte," "Triologorum de Simonia," "De perfectione Statuum," "De ordine Christiano," "De gradibus cleri Ecclesie."



mischiefs committed, ended his life, in the tenth year of reign\*. After the death of Glendour, king Henry held a parliament, (in 1410) to search out means for the raising of more money, to the charge and management of which he ordained Sir Henry Scrope, creating him lord treasurer, and Thomas Beaufort the king's half-brother, lord chancellor. In this parliament was revived the former sacrilegious attempt of alienating the temporals of the clergy, in which it was alledged, that what the bishops, abbots, priors, &c. had spent lewdly and wastefully, would be sufficient to maintain a hundred and fifty earls, at the rate of three thousand marks per year; fifteen hundred knights, at an hundred marks each; six thousand two hundred esquires, at forty marks each; and a hundred hospitals more than were already founded, at a thousand marks each: but the king, upon mature consideration, detesting their distempered zeal, denied their petitions, and, in person, commanded them, upon pain of his indignation, not to presume to concern themselves with affairs of that nature. The commons also petitioned, that the statute enacted against the Lollards, might be either repealed, or softened in some of its articles. Instead of repealing this statute, he replied, that "He wished rather the rigour of it was heightened, that heresy might be entirely rooted out of the kingdom." And the king, willing to let his parliament see that he intended to favour the clergy, soon after signed the warrant for the burning of Thomas Badby, a Lollard†. In this year, the duke of Burgundy made uncommon Provisions to reduce the town of Calais to the dominion of the French; which Provisions were stored up at St. Omer's: they were all, however, consumed by an accidental fire, which gave great ease to the inhabitants of that town.

In the year 1411, the great and dangerous factions between the dukes of Burgundy and Orleans in France broke out; they were occasioned by the murder of Lewis, brother to the French king, and father to the duke of Orleans, as he came late from the queen's apartments, who was then in child-bed. The duke of Burgundy justified the fact, alledging that Lewis had used means with the pope to depose the present king, upon pretence that he was as unfit to govern as the last king Childeric, against whom pope Zachary had pronounced sentence. This paved the way for that terrible and dreadful slaughter which afterwards took place in the kingdom of France. Each party endeavoured to strengthen themselves by foreign as well as domestic friends: the duke of Burgundy had the king and dauphin on his side; and the other had the kings of Navarre and Arragon, the dukes of Berry and Bretagne, with many of the chief nobility. The duke of Burgundy, who with the king and government kept in Paris, fearing the power of his adversaries, offered to the king of England a daughter of France in marriage with his son, and many advantages, if he would join in the defence of the king, and send over a competent number of forces. To which king Henry is said to have answered, "Our advice is, that you should by no means hazard a battle with one who seems to prosecute a just revenge for the death of his father; but by all reasonable means endeavour to assuage the fury of the exasperated young man. If that be unsuccessful, stand upon your guard, and retire to the best place of safety, with such forces as may best serve for your defence.

After this precaution, if he will not be appeased, you may engage him with the safer conscience, and in such a case, we will not fail to assist you, according to your request." For the present he sent over the earls of Arundel and Kyme, and many other, men at arms with a numerous body of English archers, who arrived safe at Paris, where they every way answered the ancient glory of their nation.

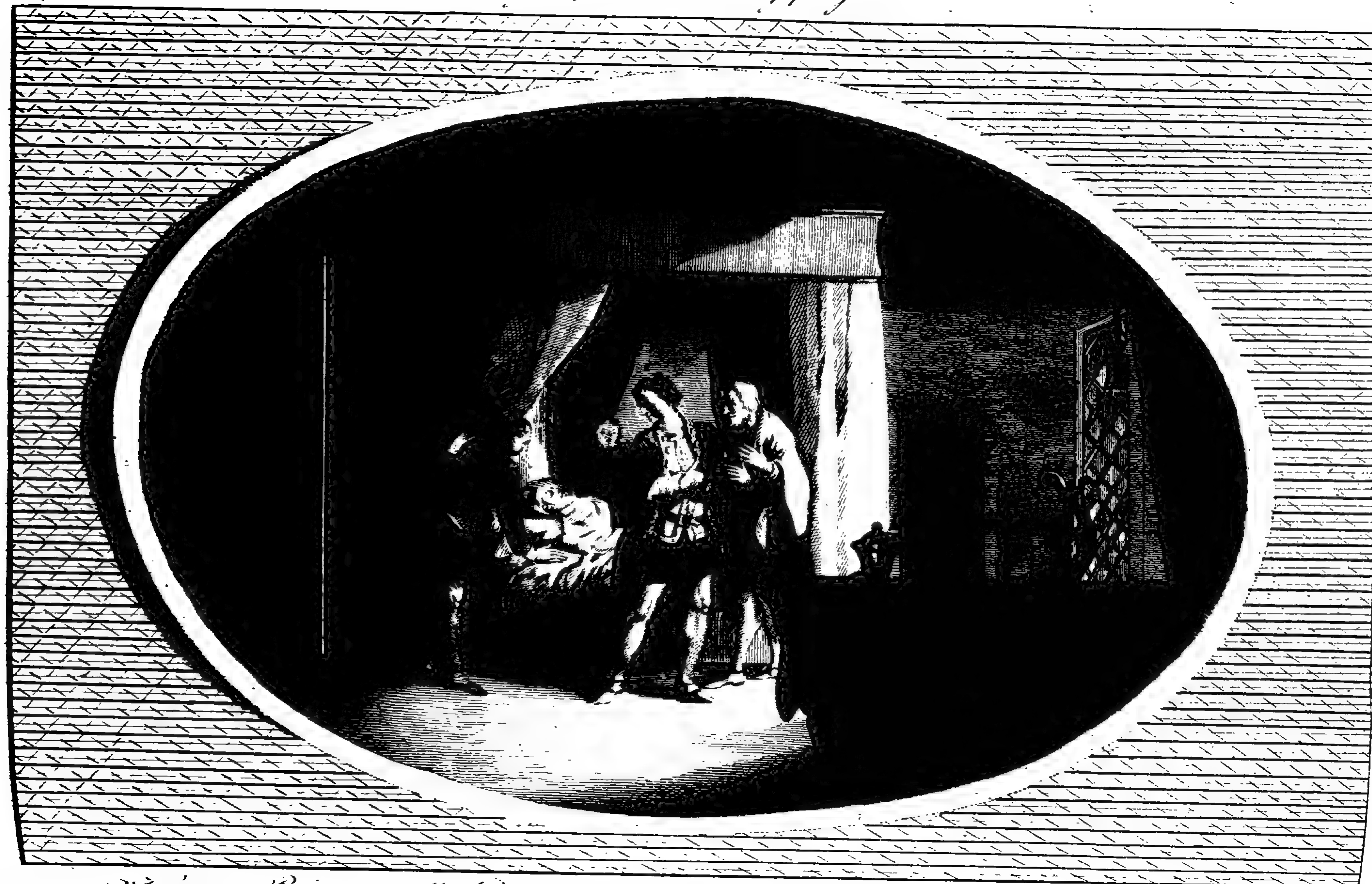
The duke of Orleans, and his partizans, on the other side endeavoured to divert the king of England from his purpose; and thereupon sent over, in the year 1412, one Falconet with others, with solemn letters of credence, whom they made their "irrevocable procurator to treat with the most excellent king of England, &c. for the restitution of the dukedom of Gacony, and all its appendages, which were the inheritance of the most excellent lord the king of England," &c. The ambassadors having produced their credentials, exhibited the points of their negociation in these articles, which shew how far the spirit of revenge will transport the minds even of the greatest personages. "First, they offer their bodies to be employed against all men for the service of the king of England, saving their allegiance to their own sovereign, as knowing the king of England would not otherwise desire them. Secondly, their sons, daughters, nephews, and nieces, to bestow in marriage at the king of England's pleasure. Thirdly, their castles, towns, treasure, and all their goods to be at the service of the said king. Fourthly, their friends, the gentlemen of France, the clergy, and rich burghers, who were all on their side, as by proof should well appear. Finally, they offer to him the dukedom of Gacony entire, and in as full a manner as ever his predecessors enjoyed it; so as they themselves will hold and acknowledge to hold their lands in those parts directly of the said king, and deliver all they can into his possession, and do their utmost to conquer the rest for him. All this upon condition on the other side, first, that the king of England should assist the said lords against the duke of Burgundy for the murder committed upon the late duke of Orleans. Secondly, that he should give this assistance, till all the losses were repaired which they and their friends had sustained upon this occasion. Thirdly, that he should help to settle the quiet of the realm," &c. These offers being balanced with the articles upon which the duke of Burgundy had obtained succours, so far outweighed them, that about the middle of August the same year, before all those that had been sent with the earl of Arundel to the contrary part were returned into England, forces were ordered for the assistance of the duke of Orleans, to the astonishment of all those who were not in the secret; so that Thomas duke of Clarence, Edward duke of York, the earl of Dorset, and many others, with an army consisting of one thousand men at arms, and three thousand archers, were sent over to the duke of Orleans, while the earl of Angoulême continued a hostage in England for the payment of a hundred and ninety thousand crowns, and performance of articles. The English landed in Normandy; but whether the confederates, moved with the dangers to which their nation would be precipitated, or for some other causes, the duke of Orleans, contrary to agreement, declined repairing to the appointed place; which caused the English to burn, pillage, and take vast quantities of riches in many parts of the country, to satisfy

\* Owen Glendour was the son of Griffith Vaughan, lord of Glendourdwyn and Kynleath, by his wife Helena, eldest daughter (and co-heiress with her younger sister, Eleanor, wife of Sir Tudor ap Girno, and brother to Meredith, father to Owen Tudor, grandfather to Henry VII.) of Thomas ap Llewellyn ap Owen, by his wife Eleanor, daughter and co-heiress of Catherine, daughter of Llewellyn ap Griffith, the last prince of the Welsh blood, who was slain in the year 1282, near Buell, in South Wales. This Owen Glendour was born in 1354. See Ellis's Account of Owen Glendourdwyn among bishop Humphreys's MSS. Though

most historians assert that Glendour died in 1409, Rapin acquaints us, that it is certain he lived till 1417.

† Rapin tells us, that the prince of Wales was present at the execution, and, as the poor wretch gave sensible signs of the torture he endured, he ordered the fire to be removed, and promised him a pension for life, provided he would recant. But Badby being come to himself, refused to comply with this offer, and suffered death with an heroic courage. This cruel act so exasperated the commons, that when the king applied for a subsidy, they positively refused to grant one.





Henry - Prince of Wales taking the Crown from the Willow of his Father Henry IV



themselves till the duke of Orleans should cause them to be paid. The dukes of Clarence and Orleans came at length to a treaty; after which the English marched into Gascony, to take up their winter-quarters, and the duke of Orleans returned into his own country. During these transactions, the lord of Heyle, marshal of France, with many other lords, and an army of eight thousand men, laid siege to a certain strong place in Gascony; which Sir John Blount, with three hundred men, not only defended, but also drove the enemy from the siege, took twelve of their principal personages prisoners, and a hundred and twenty other gentlemen.

King Henry did not live to see the course and fortune of these wars, but began now to turn his thoughts to matters of a contrary nature: for, having reduced his kingdom to a state of tranquillity, his actions were grown to a greater degree of temperance, insomuch that he seemed to be wholly desirous of peace. Justice was administered without distinction, he shewed himself affable, liberal, and pious, so that his subjects now began to love him, as much as they formerly feared and despised him; and having set his thoughts chiefly upon God, he resolved to spend the remainder of his days wholly in his service. His greatest secular concern was for his eldest son Henry, now about twenty-four years of age, whose behaviour and carriage had raised both the hopes and fears of the whole kingdom.

This wondrous prince had formerly been a student in Queen's college, Oxford, under the tuition of his uncle Henry Beaufort, chancellor of that university; from whence he was removed to court, and committed to the government of the earl of Worcester. But coming afterwards to his own disposal, whether being by nature courageous, and yet not well tempered by time and experience; or whether incited by dangerous companions, or emboldened by his own greatness, he ran into many courses unworthy of a prince\*; so that it was much doubted how he would conduct himself when he ascended the throne. It is reported, that he lay in wait for the receivers of his father's revenues, and in the person of a robber set upon them and rifled them. Afterwards, when one of his associates was arraigned for felony before the lord chief justice, (William Gascoigne,) he went boldly to the King's Bench bar, and endeavoured to free the prisoner by force; but being withstood by the judge, he struck him a violent blow upon the face. Hereupon the judge, without hesitation, told him, that the offence was not committed against himself, but against the king his father, in whose place he sat: wherefore, to make him sensible of his crime, he immediately committed him to prison. The calmness with which the prince conducted himself in his cause, was really surprising, especially when we consider that he had just before outrageously endeavoured to save his companion; for he quietly obeyed the judge's sentence, and suffered himself to be led to prison. This circumstance was not a little pleasing to the king, to find he had a judge of such courage, and a son of such submission; but yet for these and other such actions he removed him from being president of the council, and placed in his room his second brother Thomas, duke of Clarence. This made the prince so sensible of his father's displeasure, that he made use of all means to regain his favour.

The king had given ear to many evil reports concerning his son, so that he became extremely uneasy, imagining the prince had some design on his throne. As soon as young Henry was acquainted with his father's suspicions on account of the secret machinations of his enemies, he desired a private audience with the king, which being obtained, he cast himself at his feet, and said, "Sir, I have been credibly informed,

that some malicious persons have caused you to entertain a suspicion of me very injurious to my honour, and to the reverence and veneration I have for your person. It is true, I freely own it, I have been guilty of some intemperate sallies which deserve your indignation; but I never had the least thought of attempting any thing against your person or government. They that dare charge me with so base, so diabolical a crime, seek only to disturb your quiet and to render me uneasy. It is in order to clear myself of this imputation that I have taken the liberty to throw myself at your feet, humbly intreating you to cause all my actions to be as narrowly and closely examined, as if I were the meanest of your subjects. I am ready to undergo this strict scrutiny, well knowing you will be fully satisfied of my innocence." The king seeing with what frankness the prince offered to vindicate himself, grew perfectly easy upon his account, and restored him again to favour.

The king, however, lived not long to enjoy the happy fruits of this reconciliation; for, about Christmas, 1412, he was taken ill at Eltham; but recovering a little from his indisposition, he repaired to London at Candlemas, 1413, with a view to hold a parliament, the end of which he never saw. Here he took upon him the Crusade, and began to make provision for his journey to Jerusalem; but being at prayers before St. David's shrine, he was suddenly taken with an apopleptic fit, and was thereupon removed to the abbot of Westminster's house; where recovering, and finding himself in a strange place, he demanded where he was? Being told that he was in the abbot's house, in a chamber called Jerusalem, he exclaimed, "Lord have mercy upon me! for this is the Jerusalem where a soothsayer told me I must die." Here the vulgar chronicles tell us a very peculiar story; that the king, while he lay dangerously ill, ordered the crown to be set on a pillow at the head of his bed; and when suddenly his pains seized him so vehemently that all concluded him dead, the prince coming in, took away the crown. The father unexpectedly reviving, soon missed the crown; and calling for his son, demanded why he meant to deprive him of that, to which he had yet no right? The prince boldly replied, "Since I and all others believed you to be dead, I took it as my own right, but now return it with joy." To which the king with a deep sigh made answer, "What right I had to it God only knows." "Be that as it will, returned the prince, you gained it by the sword, and by the sword I will maintain it." The king hearing his resolution, entered into discourse concerning some discord he feared might arise between him and his brother the duke of Clarence: to which the prince thus declared, "If my brothers will be true subjects, I will honour them as my brothers; but if otherwise, I will do justice upon them, as well as the meanest in my kingdom." The king rejoicing at this unexpected answer, both prudently and piously charged him before God, "To administer the law indifferently, to ease the oppressed, to beware of flatterers, not to defer justice, nor yet to be sparing of mercy; to punish all those who in the least oppress the people; by which, he told him, he would obtain the favour of God and the love of his subjects, who while they had wealth would continue obedient, but if made poor by oppressions, would become rebellious." With these, and the like admonitions, he expired on the 20th of March, 1413, being then in the forty-seventh year of his age, after an active, politic, and victorious reign of thirteen years, five months, and twenty-one days. His body with all funeral pomp was conveyed to Canterbury, and there solemnly interred, in the presence of his son, and many of the nobility.

This was the end of Henry the Fourth, who had all

\* "Whilst Henry, says Rapin, was endeavouring to regain his reputation, which had been somewhat sullied since his accession to the throne, the prince of Wales was entirely destroying his, by daily abandoning himself to riot and debauchery. Though he was naturally of a great and generous spirit, he

suffered himself to be corrupted by persons who, to serve their own ends, flattered his vicious passions, and diverted him from the paths of virtue. His court was the receptacle of libertines, debauchees, buffoons, parasites, and others of the like stamp."



the qualifications of a great and mighty prince, and one who by his vigour and management had surmounted infinite difficulties; all arising from the want of a just title to the crown, which compelled him to wade through seas of blood, and to bring vast mischiefs upon the English subjects. As to his person he was of a moderate stature, well proportioned and compacted; he was of great strength and agility of body, skillful in arms, and of a quick dispatch; equally shewing himself both earnest and well advised in all his actions. He was of a ready imagination, forward in attempt, courageous in execution, and generally fortunate in the event. There was no great place of employment or charge which he would rather affect for glory, than refuse for peril or pains; and in service he usually proved himself not only a skilful commander by giving directions, but also an admirable soldier in using his weapon, sometimes venturing his person further than policy or even prudence would allow. His expences were liberal and honourable, yet not exceeding the measure of his receipts; he was courteous and familiar towards all men, by which he procured more love among the meaner than the greater of his subjects. In all the changes of his state he preserved an uniformity of temper; in adversity he was not dejected, in prosperity he was not elated; still retaining his majesty in the one, and his mildness in the other: nor did the continuance of his reign cause any pride of carriage or behaviour in him; but in his latter years he appeared so mild and gentle, that it almost wore out all the hatred which had been borne him from the death of king Richard. He would not easily be drawn into any cause, but was firm and constant in a good one; yet was more easy to be either corrupted or abused by flatterers, than terrified by threats. His great error was his mighty thirst after human glory, which made him too little examine the just and religious means of attaining it; for which the vengeance of Heaven seems to have met his posterity in the third generation.

By Mary Bohun\*, Henry had four sons and two daughters; viz. Henry, his successor; Thomas, duke of Clarence; John, duke of Bedford; and Humphrey, (created duke of Gloucester by Henry V.) Blanch, the eldest of his daughters, was married to Lewis Barbatous, elector palatine; and Philippa, his second, was espoused to Eric, king of Denmark and Norway.

There were several acts of piety and charity done in this reign, besides those by the famous William of Wickham before mentioned; in naming of which, we ought not to pass by the excellent Sir Richard Whittington, mayor of London, who erected a college in that city, with lodgings and weekly allowances for divers poor people. He erected that gate of London called Newgate, which before was a loathsome prison; and built more than half St. Bartholomew's hospital in Smithfield; and the beautiful library in the Grey-Friers, now called Christ's Hospital. He also built a great part of the east end of Guild-Hall, and a chapel adjoining to it, with a library of stone, for the custody of the records of the city; and in his last will, he shewed the highest marks of compassion and Christianity.

C H A P. II.

H E N R Y V.

**H**ENRY the Fourth, was immediately succeeded by his eldest son Henry, of Monmouth, in the twenty-sixth year of his age. Though some of his former actions had raised the fears of many, yet the high esteem which the nation now had of his person, procured

such an entire confidence in him, that both lords and commons, upon the 24th of March, 1413, proposed to swear allegiance to him before he was crowned, or had taken the customary oath to govern according to law. He generously thanked them for their good affections, and exhorted them in their several stations to use all their power for the good of the public; declaring, that he began his reign with the pardon of all that had offended him, and with such a real design of promoting his people's happiness, that he would be crowned on no other condition, than to employ his authority for that end; praying to God, that if he foresaw he would not prove a just and good governor, he would please to take him immediately out of the world, rather than seat him on the throne for a public calamity to his country. On the 9th of April, the solemnities of his coronation were performed by Thomas Arundel, archbishop of Canterbury; which proving a day of extraordinary storms, raised many superstitious observations. He began his reign, with renouncing the companions of his former riots, who had flattered themselves with the hopes of the highest places of honour and preferment: he even forbade them, under severe penalties, to approach his person, or to come within ten miles of his court; and all the favour they received, was only to be dismissed with some liberal gifts from his royal bounty. He next proceeded to make an alteration among the judges, and other officers of the crown, removing those who were known or suspected to be guilty of corrupt practices, and advancing others, whose integrity and abilities rendered them fit for the highest employments. And that the people might have free and impartial justice, after the example of his father, it was his custom every day, for an hour or more after dinner to lean on a cushion, and receive petitions from his subjects, where he patiently heard their complaints, and redressed their grievances. He also, by proclamation, endeavoured to provide against the corruption of manners, the abuses which had crept into government; in which he commanded the clergy to be faithful in their sacred charge, and by their lives, as well as discourses, to afford lessons of piety to the people: and he likewise enjoined the laity to serve God and obey their sovereign, forbidding, upon his highest displeasure, all acts of adulteries, wilful perjuries, and prophane swearing: and for a further testimony of his generous and compassionate disposition, he removed the body of king Richard, too meanly interred at Langley, in great state to Westminster Abbey, and there laid him enthroned by queen Anne his first wife, as he himself had desired and appointed, founding a weekly memorial, and an annual distribution of money to the poor. And so nearly did his death affect this king, that he sent to his holiness the pope, to be absolved from the guilt of his father's act; and willingly performed what penance was enjoined him. After which, he, in person, attended the obsequies of his father, which were celebrated with great solemnity at the city of Canterbury†.

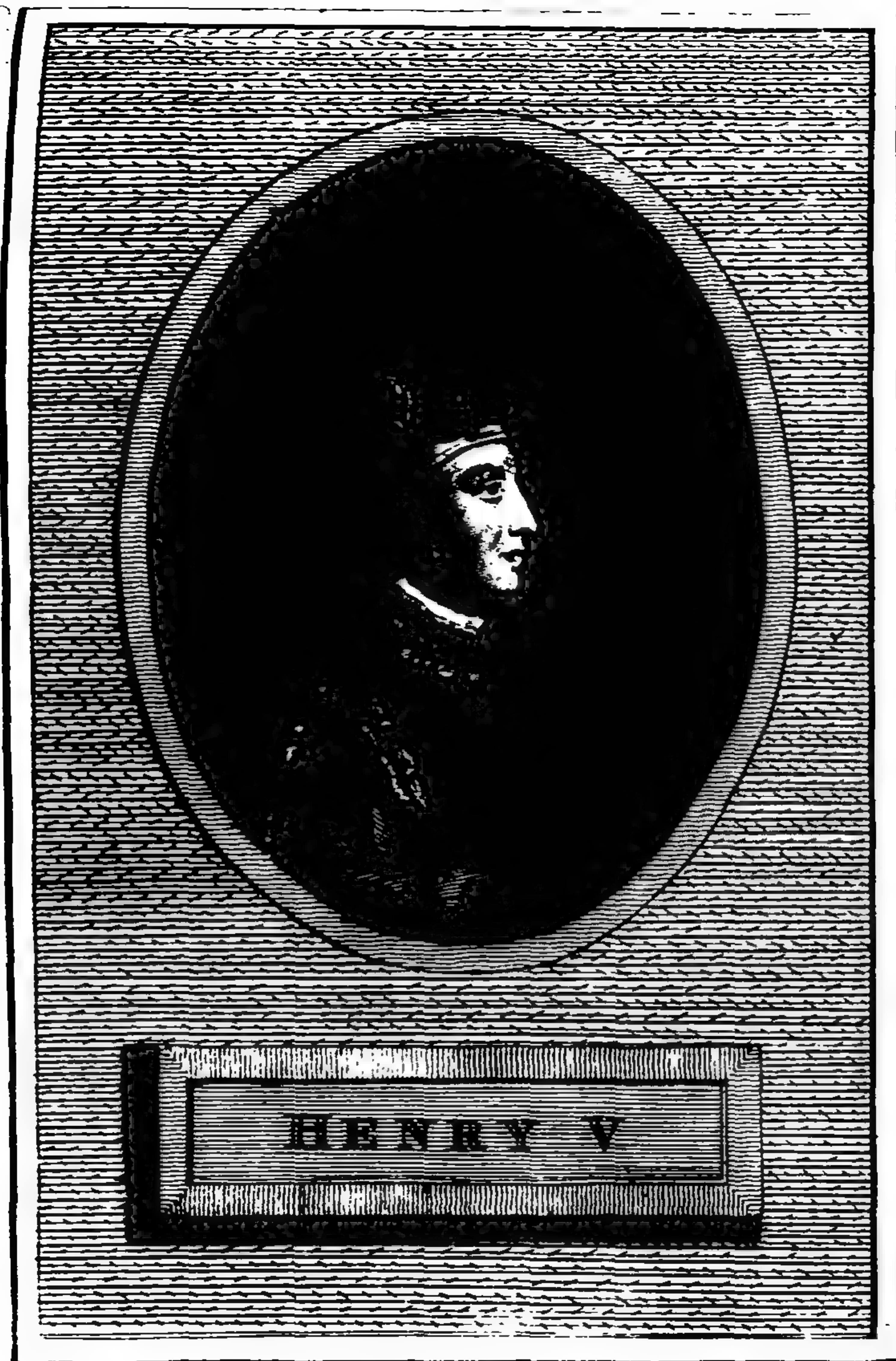
After the detection of a conspiracy made by one Whitlock, and some others, a parliament met in May, in which, the commons petitioning the king for the redressing of grievances, or for the establishment of good order, many wise laws were enacted to make the nation rich, flourishing, and prosperous. And thus king Henry was easy and secure in the beginning of his reign, only two intervening disasters diminishing the public joy and satisfaction; a great plague which destroyed numbers of the people, and a violent fire in Norwich, which laid in ashes most of that large city. Yet among the calamities of these times, we might reckon the sufferings of Sir John Oldcastle, lord Cobham, since it was a strange example of injustice and cruelty, that a noble-

\* She was the daughter of the earl of Hereford.

† The tomb of Henry IV. is in the cathedral of Canterbury, of alabaster, partly gilt, and seems to have been erected by his second queen Joan of Navarre, whose effigies are placed

by his side. It is situated between two pillars on the north side of the chapel of St. Thomas Becket, opposite to the monument of Edward the Black Prince. It does not appear that any epitaph was placed upon this monument.







man, endeared to the king by his excellent qualities, should, by the hatred of the clergy be implacably pursued to ruin. This knight, called lord Cobham, was in a public synod accused by the clergy of heresy, in maintaining several of Wickliff's opinions, and propagating them in the dioceses of London, Rochester, and Hereford; against whom also some select inquisitors at Oxford presented his name, with a great number of conclusions, which they had collected as heretical. The king, incensed by the archbishop's (Thomas Arundel) suggestions against the Lollards, was further made to believe, that they had set up bills in various places, threatening, that a hundred thousand persons had declared they were ready to take up arms against all that opposed their reformation, and among these lord Cobham was reputed the chief. The king heard the complaint of the archbishop, and, being at Kennington, promised to confer with lord Cobham himself, which accordingly he did, urging him to submit to the censure of the church, and be obedient to the archbishop. But Cobham humbly told his majesty, that he owed his subjection only to himself, whom God had placed as his sole vice-gerent to govern his people of England: as to the pope of Rome, he owed him no service, nor would he pay him any; since he was convinced in his conscience "That he was the great Anti-Christ, the son of Perdition, and the open Adversary of God." This answer was delivered to the archbishop, with power to cite, examine, and punish, as the canons of the church in such cases had decreed.

The archbishop now issued out a citation for him to appear at his court at a certain time. This citation was delivered to lord Cobham by John Butler, a gentleman of the privy-chamber, because the summoner durst not do it himself; and the archbishop, that nothing might be wanting, caused copies of it to be set upon the gates of the cathedral of Rochester. These being quickly pulled down, the clergy were greatly incensed; and the more so, because the actors could not be discovered. Lord Cobham, however, knowing the malice of his enemies, and his own danger, refused to appear; whereupon he was excommunicated for contumacy, and further processes were issued out against him. In the mean time he wrote a form of his faith, and presented it to the king, who refused to receive it, but suffered him to be cited even in his own presence; when Cobham, for his purgation, offered a hundred knights and esquires, but this was not accepted. He then, according to his degree and the law of arms, required a trial by single combat with either Christian or Pagan as to the truth of his faith, the king and council only excepted. This likewise was not permitted, so that he was obliged to appear before the archbishop and his suffragans; where, after several examinations, he answered with such vivacity of spirit and courage, that the convocation was amazed, and at a loss how to reply. He was, notwithstanding, solemnly condemned for a heretic, and committed to the Tower of London: and in the same synod the archbishop passed a decree, "That the Holy Scriptures should not be translated into the English tongue." As to Cobham himself, he soon made an escape from the Tower into Wales, which gave an occasion to his enemies to raise new jealousies; and they confidently assured the king, that he and his adherents had a design upon his life, and that in St. Giles's fields, near Holborn, they were to meet in order to destroy the monasteries of Westminster, St. Alban's, all the religious houses in London, and the cathedral of St. Paul. The king, therefore, in person, after midnight, entered the field with an army of twenty thousand men, where, as their enemies relate, he apprehended eighty persons, who declared they came to seek lord Cobham. But their friends alledge, that in those days of persecution, such assemblies had been often made to hear the gospel preached, which otherwise they could not enjoy; so that in this place, then overgrown with bushes, and unfit for armies, those few were assembled to hear John Beverly, a pious divine;

No. XXIX.

but lord Cobham could not be found, though the king had promised a thousand marks to any person that should take him, and also great privileges to any town or city in England where he was discovered: by which it may be guessed, *sa.* Walsingham, that near the whole kingdom then embraced his opinions; thirty-seven of that assembly were condemned, of whom seven were consumed with fire; Sir Roger Acton, Beverly, and Morly\*, were likewise executed as traitors in January 1414.

Upon archbishop Arundel's death, in February 1414, Henry Chicheley, who was likewise an enemy to the Lollards, was, by the king's consent, and the monks of Canterbury, elected to that exalted station. But the politic elect neither accepted nor refused, but left it to the will and pleasure of the pope; who at first was displeased that they had proceeded so far without his directions; yet was soon pacified by Chicheley's submission, and some particular gratifications. This man, though not so conspicuous for his birth as Arundel, was yet as strong for the clergy, and more in favour with his king, as the sequel proved. His first essays of both were sufficiently shewn in a parliament held at Leicester, where the former design against the church lands was revived, and a bill exhibited accordingly; in which it was demonstrated, that the temporalities upon which the religious and other spiritual persons lived so luxuriously and wastefully, amounted to three hundred and twenty-two thousand marks yearly; and that besides the said sum, divers religious houses possessed as many temporalities as would maintain fifteen thousand priests and clerks, allowing to each man seven marks a year. This bill, according to Hall, caused the corpulent abbots to sweat, the proud priors to frown, the poor friars to curse, the foolish nuns to weep, and all the merchants of the church to fear that Babel would sink: and here indeed the excessive power began to diminish, when, by the authority of this parliament, a hundred and ten priories alien were suppressed, and all their possessions given to the king and his heirs for ever. Therefore, to avert the impending storm, it was politically concluded by Chicheley and others, that the most effectual course was to find the young king some other employment for the vigour of his courage, which might otherwise prove dangerous to them. Accordingly they judged it necessary to turn his thoughts to war, and to solicit his ambition, by reminding him of the title he had to the crown of France, descended to him by the mighty Edward the Third. Therefore, in a formal premeditated speech before the king in parliament, the archbishop set forth his majesty's unquestionable title to the realm of France from the most illustrious of all his predecessors Edward the Third, "who bravely attempted to conquer by arms, what he could not obtain by a just treaty. That his majesty had the same title to demand that crown, and the same reasons to denounce war upon a refusal." He added, "that as he was sensible that the French would oppose their imaginary Salic law against that claim, so he knew that they would contradict themselves in assigning the original of that law; and if it were granted that such a law was in being, yet France was not concerned in it. For it was in vain for them to pretend that it was made by Pharamond the founder of their monarchy, when no mention was made of it until above four hundred years after his death: and this was when Charles the Great, returning from the conquest of Saxony, part of his army passed the Sula, and settled between that river and the Elbe, and from the name of the former were called Salic-Gauls: which new colony detesting the vicious manners of the German women, by a law prohibited that sex from inheriting lands in their small dominions. But what was this to the French nation? how could they prove that by this law their crown could not descend to any daughter of their kings, when it manifestly appeared, that the title of the great Pepin, the claim of Hugh Capet, the possession of Lewis the Saint, and of all the French kings to that day, were derived from female heirs?"

4 Q

\* A knight, a minister, and a maltman.



heirs? so that the name of the Salic-law was but an illusion to debar the English kings from their claim to the French crown. But granting that such a law had always been observed, yet it was contrary to the laws of God, and the custom of all nations; so that the French alone violated the statutes of Heaven, and slighted the laws of mankind, that they might devolve their crown on whom they pleased. But if his majesty would extend his righteous arms into the bowels of France, no true Englishman would refrain from devoting his life and fortune to the glorious service of so great a king. And in full persuasion of the justice and success of the war, the clergy, besides their extraordinary prayers to Heaven, had given such sums of money to maintain it, as had never been granted to any of his predecessors." This speech, which elevated the thoughts of the whole assembly, was strenuously debated and examined by the earl of Westmoreland, governor of the marches of Scotland, and the duke of Exeter, uncle to king Henry. The former thought it most safe, first to check the Scots, as the nearest and most certain enemies; but the latter judged it better policy to begin with France, the root and support of the other, especially since it was now distracted by the grand factions of Burgundy and Orleans. The arguments of the latter soon prevailed with the king and his brothers, who being young, and fired with the prospect of new glories, they became impatient to signalize their courage against the old enemies of their country: and the same spirit being diffused through the minds of the rest of the nobility, they all declared for a war against France; which being thus resolved, the parliament which met at Leicester was prorogued to Westminster. There the king's generosity was shewn to Henry Percy, son to the famous Hotspur, who was now restored to the earldom of Northumberland, and to all the lands and dignities which his grandfather and father had forfeited to the crown.

The war against France being determined, an embassy was dispatched to that kingdom, which first demanded the crown of France to be resigned to king Henry; but soon after descended only to require those provinces which his predecessors had possessed in that kingdom, together with the French king's daughter, the princess Katherine, to be married to king Henry, with a portion of two millions of crowns, two of which were to equal an English noble. These demands were thought extravagant, and being rejected, others were offered by the French, but without effect. A second embassy was sent over in the beginning of the following year, which, insisting upon the same demands, was at last dishonourably treated. The dauphin, by way of derision, sent king Henry a tun of tennis-balls, intimating that his youth and practices had been more agreeable to those, than the rough exercise of arms. But the English king, fired with resentment, declared, that he would return his present with such dreadful balls, as the gates and walls of Paris should not be rackets sufficient to rebound.

King Henry now made preparations to invade France; and resolved to vindicate his cause by an open war.—Having about eight hundred thousand crowns in his treasury, he furnished out a strong fleet, and, besides his own ships, he hired several transports of the Hollanders and Zealanders. He raised troops, provided engines of battery of vast bulk and force, and appointed the rendezvous of his fleet and army to be at Southampton upon the twenty-fourth of June, 1415. The people cheerfully contributed the necessary aids of men and money, and the nobility, according to custom, brought their proportion of soldiers into the field; and the mouths of men were filled with the discourse of conquering France. The French, dreading these preparations, solicited the Scots to make inroads into England; but Sir Robert Umfrevil, a knight of the garter, with only four hundred men, engaged the Scots army, consisting of near two thousand, and defeated them; after which, with three hundred and sixty pri-

soners, he returned to Roxborough Castle, of which he was governor.

The French monarch finding his designs ineffectual, resolved to send an embassy into England to endeavour to promote an accommodation. The principal ambassador was the archbishop of Bourges, who, with the rest, was solemnly introduced to king Henry at Winchester. The ambassadors paid their respects to him, and made an offer of several territories in France, together with the French king's daughter the princess Katherine, and a dowry of eight hundred thousand crowns in gold, if king Henry would immediately disband his army, and conclude a peace. These proposals occasioned several conferences, but the king and his friends insisted upon larger demands, which being refused, war was immediately denounced to prosecute the king's just rights to the crown of France. When the ambassadors heard this, they forgot the respect due to crowned heads, and they, in contempt, laughed at the king and his council; and the archbishop of Bourges, with the highest indignation, told the king, that he was so far from having a right to the crown of France, that he had none to that of England, which belonged to king Richard's heirs. After this they demanded a safe conduct out of his dominions, and that he would send his answer, in writing, under his hand and seal. The king bore all this storm of words with great temper; and, though a provoking indignity was offered him, he would not violate the laws of nations, by injuring the persons of ambassadors. He granted them all that they last demanded, and satisfied himself with letting them know, that they might go when they pleased, and that he would soon follow them into France, not as into their country, but his own rightful inheritance, which he would recover by the assistance of Heaven, and the power of his sword.

King Henry having dismissed the French ambassadors, proceeded in his journey to Southampton, where he designed to embark his army; but before his arrival, by the advice of his council, he caused copies to be drawn of the treaties which had been made between his father Henry IV. and the court of France, concerning the restitution of Gascony to the crown of England; which treaties were now, by the French, openly violated and neglected. These copies being first sealed by a public notary, were sent to a general council then sitting at Constance, under the emperor Sigismund and other princes of Europe, that all Christendom might know what injury was done to him by the faithless dealings of the French, and that, contrary to his inclination, he was constrained to take up arms in vindication of his rights. Being arrived at Southampton, he sent Antilope, his pursuivant at arms, with another letter to the French king, written in Latin, with renewed protestations, that "it was not avarice or ambition that moved him to war, but a just design to recover his rights; therefore he once more required him to restore those provinces which had been so often demanded by his ambassadors. That it was only the fear of God, and love of peace, that made him so moderate in his demands; for which reason he was now ready to relinquish fifty thousand of the crowns offered in marriage with the princess, if with her he would deliver up what his predecessors had anciently possessed in France. That his desire was to enjoy a peaceable life with that excellent princess, in whom he should be happy; but he would not do any thing to the prejudice of his rights and honour." The French king in his answer declared, that "The demands of the king of England were unjust, and that it was strangely preposterous for one to make love to a princess when covered with the blood of her father's subjects. But since he was resolved to be his enemy, and in an hostile manner to enter his dominions, he should find him prepared to make such opposition as should easily repel him."

King Henry being ready to embark on the last day of July, a discovery was made of a dangerous conspiracy formed



formed against him in the army, which might have put an end to all his designs: for the French embracing this opportunity of working upon the dissatisfied spirits of some of the English nobility, managed a private intrigue with Richard, earl of Cambridge, brother to the duke of York; Henry Scrope, lord treasurer; and Sir Thomas Grey, a privy-counsellor; animating them to conspire against the crown and the life of their prince. To carry on which design, a vast sum, no less than a million of French livres, was remitted them; which made the French ambassadors so confident, that when they returned, they declared, that the king of England would either alter his purpose of invading France, or lose his life in the conspiracy. The design of these men was to raise an army, and carrying Edmund, earl of Marche with them into Wales, to persuade him to assume the government, as true heir to the crown, in defiance of Henry of Lancaster as an usurper. Yet still they were to make use of king Richard's name, and Sir Thomas Grey was to procure one out of Scotland, who nearly resembled him, in order to induce young Percy to join them with a competent force. This design was discovered, by the conspirators, to the earl of Marche, with the greatest threats and strictest obligations, but the earl foreseeing the dismal consequences to the nation, generously revealed it to the king himself, who was extremely chagrined at the ingratitude of those men he had so signally favoured. Having secured their persons, he in a public assembly of his nobility and officers told them, "That since they had conspired to murder him, the head and father of the people, it was not to be doubted, but that they also marked out those brave men for slaughter, to their country's ruin, and their own perpetual infamy: therefore since they had been guilty of such an execrable crime, they should, without mercy, receive the just demerits of their villainy." Whereupon the criminals were led out to execution, which was performed in the sight of the whole army. The earl of Cambridge had wrote a submissive and pathetic letter to the king to obtain his pardon, but could gain no greater favour than to be beheaded with Sir Thomas Grey, while lord Scrope was put to the most infamous punishment of drawing, hanging, and quartering. After the execution, the king again expressed his repentments before his nobility and officers, and further declared, "That if they would be faithful to him in this just war, he would not only be a partner with them in all hazards, but also foremost in the danger." Moved with this generous declaration, they expressed their loyalty in joyful acclamations and vows for his safety and success, protesting, that while they were able to draw a sword, they would defend him against the secret plots, or open-force of his enemies. The king rejoiced to hear the expressions of such a general affection, and hoped that all discontents were extinguished in the blood of the executed traitors: but as the scenes of futurity are beyond the prospect of all human wisdom, he did not see that this conspiracy was but a spark of that flame which afterwards broke forth to consume the two houses of York and Lancaster.

The king being attended by his two brothers, the dukes of Clarence and Gloucester; his uncles the duke

of York and earl of Dorset, with the earls of Kent, Cornwall, and Huntingdon, and a great body of nobility and gentry, set sail upon Wednesday the 7th of August\*, with a fleet of fifteen hundred vessels, and an army consisting of six thousand men at arms, and twenty-four thousand archers, besides gunners, engineers, artificers, and pioneers. On the 15th† of the same month, the king arrived at the mouth of the river Seine in France, and landed his forces at Havre de Grace‡, within five miles of Harfleur§. Here falling upon his knees, he desired God's assistance to recover his right, making proclamation, upon pain of death, that churches should be spared from all violence, that church-men, women, and children, should not be hurt, abused, or injured. Then conferring the honour of knighthood upon many of his followers, he assigned his standards to men of the greatest strength and courage; which done, he ascended the hill near adjoining, and from thence took a view of the town of Harfleur, resolving to make that the first essay of his fortunes in France. The town being strong and commodiously seated between two hills, the king took possession of that nearest the sea, at the foot of which he caused a deep ditch to be made, and filled it with water; and raising the rampier to a great thickness, he erected many sconces of earth upon it like little castles, set thick together, between which were narrow spaces for the soldiers to sally out as occasion required. The intrenchment thus finished from the rock to the sea, and the horses, ammunition, and provisions all brought on shore, the king with the greatest part of his army, marched up the hill; his brother, Clarence, was sent with some regiments to occupy the other hill, which proved to be a nine miles march, on account of the windings and turnings. This being gained, the king commanded his ships to cast anchor as near the town as they could with safety, by which the place became besieged both by sea and land; he then mounted his artillery, began his mines, brought his work close to the ditch, prepared fascines to fill it, and soon gained the lower town.

Within the town Montieur Gracourt was governor, who, accompanied with some noblemen, and a hundred knights and esquires, together with a considerable force, sallied out of the castle upon that quarter where the earls of Huntingdon and Cornwall lay, by whom, with loss on both sides, they were repulsed, the gates fired, some breaches made, and fire-works shot into the streets, which greatly annoyed the besieged. But nothing discouraged them more than the mines made under the walls; against which, though they often counter-mined, and bravely fought hand to hand with the besiegers, yet they soon found that it would be of little advantage to them; the walls being likely to fall, and such breaches made in them, that they perceived king Henry was resolved to carry the town by storm. Whereupon Gracourt the governor, foreseeing the danger, desired a parley, and promised to surrender the town, if not relieved by a certain day which he assigned. While the king lay before the town, he sent a letter of defiance to the dauphin of France, in which he challenged him to single combat, that the lives of so many men might be spared, and their contest honourably decided by them-

the harbour is formed by two jetties of stones. A very curious phenomenon is observable in the harbour of Havre: the water in it does not begin to ebb, at least sensibly, till three hours after full tide, insomuch that fleets of a hundred and twenty sail have often been observed to sail out of it in one tide, even with the wind against them. The cause of this uncommon phenomenon is generally ascribed to the Seine, whose current, crossing the mouth of the harbour, comes down with such force, as soon as the sea begins to retire, that it confines the water in the harbour till it has spent its strength, which is generally in about three hours.

§ Harfleur, (anciently Hareflot,) is situated between two mountains at the entrance of the Seine. It was formerly a considerable sea-port town in the neighbourhood of Havre de Grace; but when the latter was found to be more convenient, the former was neglected, and is at present only capable of receiving small vessels.

\* According to Rapin, book xi. he did not sail till the 18th or 19th of that month.

† The 21st, according to Rapin.

‡ Havre de Grace was formerly called François Ville, (Franciscopolis.) It is the capital of a government of the same name in the western part of Caux in Normandy. The town is pretty, and tolerably well built. Having been seized by the reformers, it was delivered up to queen Elizabeth in 1562, in consideration of the assistance which she afforded them. The French, however, recovered it the next year. It is a place of good trade to Newfoundland and other parts. In April, 1757, a violent storm blew down the playhouse while Sampson was performing, and upwards of a hundred persons lost their lives. The candles setting fire to the house, the whole was reduced to ashes. Havre de Grace, which is the sea-port to Paris, stands upon a plain spot of ground gained out of the sea. Its harbour, which can contain upwards of three hundred vessels at one time, is entirely within the walls of the town. The entrance into



selves; on condition that if the dauphin fell in the encounter, the crown of France and its dependencies should be delivered to king Henry after the present French king's death. In the mean time the besieged being reduced to great necessities, solicited their king for relief, which was often promised, but with so little effect, that, at length, upon the 22d of September, Gracourt the governor resolved to submit; and accordingly, with twenty-four select captains and burghers, he came out of the town to king Henry, who then sat in his pavilion under a cloth of state, his nobles about him, and the earl of Kyme upon his right hand, bearing his casket with an imperial crown upon it, set with jewels of inestimable value. The governor and the rest prostrating themselves at the king's feet, delivered to him the keys of the town, according to the covenant made between them, which was a cessation of arms for five days, and then if no relief came, to surrender the town to him, and to deliver into his hands thirty of their principal men to stand for life or death at his own pleasure; the rest were to depart without armour, weapons, or any of their goods: and thus was this important town surrendered, after having been besieged five weeks.

On the following day one of the king's brothers made his entrance in great pomp, and tendered to the inhabitants an oath of fidelity to king Henry, and sent such as refused into England. He gave liberty to all the ecclesiastics, and to the ladies to go out in their best habits, strictly forbidding all immodest and licentious behaviour to them; after which they were by the English furnished with bread and wine for their journey to Rouen. The garrison and officers were made prisoners of war, and the town was abandoned to be plundered by the soldiers, who enriched themselves with the spoils of a place, grown opulent by piracy; but in exact observance of the king's command, they forbore offering the least violence to the chastity of the women. King Henry's entrance into the town was not with triumphal ornaments, like Cæsar's into Rome, but in the most humble manner walking barefoot through the streets to the church of St. Martin, where he solemnly gave thanks to the Giver of all victory for the prosperity of his arms. The officers and gentlemen were received by him with great civility, and entertained suitable to their rank. Designing to fortify and garrison the place, he cleared it of women and children; of aged, poor, and diseased people, whom he suffered not only to carry with them what they could, but gave to every one five sols for a present subsistence. He took care likewise to people the place with new inhabitants, in the stead of those removed, and to that end issued out a proclamation throughout England, that all persons who would come over and settle in Harfleur, should have houses secured to them and their heirs: upon which invitation, great numbers of Englishmen transplanted themselves and families thither. At last he consulted his uncle Beaufort earl of Dorset, governor of the town, with whom he joined Sir John Falstaff; and having repaired the fortifications, he placed a garrison in it of about two thousand select men. The season being now far advanced, and the army extremely diminished by slaughter and distemper, it was resolved to send the remainder into winter-quarters at Calais and the neighbouring villages. But for the glory of the English name, and that there might be no appearance of reproach to a victorious king, it was likewise resolved not to go by sea, but to march directly through the enemies' country.

The French court notwithstanding was divided with factions, while under a weak and distempered king; the great men sought to make themselves greater, and the common enemy endangering all, king Charles, the dauphin, his brother of Ponthieu, the king of Sicily, the dukes of Berry and Bretagne, with the whole power of France assembled at Rouen, and in council concluded, that the English should be engaged before they reached Calais, and resolved immediately to incommode king Henry as much as possible. This was attempted soon after his removal from Harfleur; for besides their con-

tinual skirmishes upon his marching army, they broke down the bridges, cut down trees, stopped the high-ways, stuck sharp stakes in the fords and other places, laid ambuscades, and conveyed all kinds of provision out of the countries through which the English were expected to pass. By which methods they reasonably concluded, that king Henry and his own army would be entrained, who now was arrived at Virron, with a design to pass the river Somme at Blanchetaque: but that being so well fortified against him, he changed his purpose, marched by Vornies, and encamped at Baileux, intending to have passed the river at Port de Remy; but that being also secured, he passed along the river Hargest, while the French army marched upon the other bank, under the conduct of Charles de Albert, constable of France. King Henry still endeavouring to pass the river Somme, resolved to try it even at the mouth, and passing by Amiens, Bowes, and Corby, he encamped in a valley adjoining, where he commanded his archers to provide stakes sharpened at both ends, which afterwards proved of singular use to him. Then hearing by his spies that the river was fordable at Bethencourt, by the negligent guard of the forces of Sr. Quinton's, he passed the water, but not without the help of bridges. The soldiers both weary and faint, many of them sick, and their provisions consumed twelve days before, with invincible patience now fed upon nuts, roots, and berries, and any thing that the woods afforded them. They spent the day in great toil and long marches, the nights were cold and wet, and the French were always hovering about them without intermission. According to the French writers, these circumstances moved king Henry to offer the restitution of Harfleur, and other advantages, provided he might be allowed a free passage to Calais. But, however, he gained great relief by the justice and piety he used in those parts: for though he was in the midst of enemies, and his soldiers pinched with want of necessaries, he commanded, upon pain of death, that none of his army should rob any church; in which, when one of his men had offended, he first caused restitution to be made, and then punished the offender with death. The fame of this act induced the common people, contrary to the strict commands of the French king, frequently to supply the fainting English with their own provisions. In this manner king Henry marched through infinite difficulties in several places, until about the end of October he arrived in view of the French army near Agincourt, in the county of St. Paul; upon notice of which, he commanded all his horsemen to alight, and the whole army kneeling down with eyes and hands lifted up to Heaven, implored the divine assistance to make them victorious.

The French army now lying between king Henry and the town of Calais, the general D'Albert, in conjunction with the dukes of Orleans and Bourbon, sent three heralds to the king of England with a challenge to give him battle, leaving it to him to assign the time and place. The king honourably entertained the heralds, and sent them back with rich marks of his liberality; but he employed two of his own to signify to the French generals, that they well knew that of late he had continued a constant march, and they might have fought him when they pleased; therefore if they desired a general battle, there was no need of appointing time and place, since they should always find them in the open field: that his great care was not to do any thing unworthy of himself; and as he would not be the first aggressor, so when once attacked, he would not decline fighting: that he was resolved to continue his march to Calais, and whoever endeavoured to prevent him, should find danger in the attempt: therefore he advised them not to oppose his passage, that those fields might not be stained with Christian blood. On the 20th of October, the French generals sent again to king Henry; to signify, that they would give him battle on the Saturday following. He gave the herald two hundred crowns, and a rich robe; and now being sure of battle, he rode every day in armour, and used the most engaging methods to rouse the courage



courage of his brave foldiers, who were all resolved to stand their ground, notwithstanding the vast disproportion of the respective armies. And David Gam, who attended the king with a party of Welshmen, having been sent to review the strength of the enemy, made the following laconic report to his royal master: "May it please you, my liege, there are enough to be killed, enough to be taken prisoners, and enough to run away." Indeed, the odds as to number were exceeding great; for the English army consisted of no more than nine or ten thousand men, whereas the French, according to their own writers, amounted to a hundred and forty, and some say a hundred and fifty thousand men; and also with this remarkable difference, that the French were fresh and vigorous, and well supplied with provisions; and the English wearied with long marches, and great sufferers through want of food. These advantages made the French so confident of victory, that they thought of nothing less than the ruin of the whole English army, and so to repair the dishonour which had been brought upon their nation at Cressy and Poitiers. They now resolved, since they had inclosed them, that none should escape the sword, but the king and his chief commanders, who should be reserved for the ornaments of a triumph. They divided the imaginary spoil among themselves, disposed of the prisoners, and proposed to lead the captive king to Paris; commanding all the neighbouring cities and towns to make public rejoicings as for a certain victory, and by way of derision, they sent a person to king Henry with this insolent demand, "What will you give for your ransom?" His answer was, that "he hoped within a few hours to reduce the French to such a condition, that they should have the sole care of providing ransoms." As they were flushed with the assurance of victory, it was no wonder that they scornfully rejected the herald whom the prudent king Henry had sent with offers to restore Harfleur, and to compensate all the damages of the war with other concessions, if they would open to him a free and undisturbed passage into England. Yet still some of the wisest of the French commanders were against coming to a battle, and particularly the old duke of Berry, who had himself been an eye-witness of the English valour at the battle of Poitiers.

King Henry finding his offers refused, with invincible bravery resolved to commit his cause to God; and the valour of his foldiers; and having the night before the battle called a council of his officers, he declared that since the implacable enemy would be satisfied with nothing but their blood, there were now no hopes of safety but in the protection of Heaven, and their own courage: that if they would rely upon those two, they had no reason to fear an army so far exceeding them in point of numbers: therefore they should prepare for the glorious battle, not doubting but he would be their deliverer. This important night was carelessly spent by the French in feasting, triumphs, and all the insults of merciless conquerors; but by the English in watchings, valiant resolutions, and a manly regard to their emergent circumstances; having their spirits all the time enlivened by the cheerful sound of warlike instruments. At length the important morn approached; when the French took the field, pressing forwards as to certain victory, their horse being their greatest strength. Against the powerful force of which, king Henry, with great art, placed his archers on each side of his main body, which were well defended by sharp piles or stakes, six or seven feet long, moveable at pleasure. But particularly he ordered two hundred bow-men of extraordinary strength and agility to lodge themselves in a low meadow, where a deep ditch of water might secure them from the horse, and the bushes cover them from

fight. The flanks of the army were guarded by woods on both sides; in one of which the king placed, by way of ambush, a strong body of horse, with orders to attack the enemy in the rear when the battle was joined, which they successfully performed. The van was commanded by the duke of York, which station, as a place of most danger and honour, he had desired; and with him were joined the lords Beaumont, Willoughby, and Stanhope\*. In the main battle, clad in complete armour, rode the king himself, his shield quartered with the royal arms of England and France; on his helmet for a crest he had a bright crown of gold framed after the imperial fashion. On the other side the French drew up in three lines, the first was led by the constable of France, the dukes of Orleans and Bourbon, and several other of the principal nobility, who all strove to be foremost in endeavouring to obtain the honour of the first charge. The second line was commanded by the duke of Berry, the earls of Alençon, Nevers, and many others. The third was commanded by the duke of Brabant, the earls of Marle, Forquenberge, and M. de Lorny. The right wing was led by Arthur, earl of Richemont, and the left by Lewis de Bourbon. In short, most of the French, and among them those of the highest quality in the nation, had enlisted in, and were present with this army, except the king and the dauphin.

The two armies, thus drawn up, stood in order until between nine and ten in the morning, when the heroic king Henry, riding along the front of his battalions, with the most enlivening looks, gestures, and speeches, animated the courage of his foldiers. He told them, "That they were now entering into the most glorious field of honour, which by their valour might prove more renowned than those of Cressy and Poitiers.— That as for his own part, England should never be charged with his ransom, nor any Frenchman triumph over him, but death or victory should be his certain fate, as he expected it would be theirs." The soldiery inspired with new valour at the gallant behaviour of their king, answered him with triumphant acclamations, and desired to be led on immediately to the charge. The dukes of York, Clarence, and Gloucester, advised his majesty not to suffer this their first ardour to cool; but he, weighing the mighty consequence of the battle, would not precipitate any thing, but proceeded with a most admirable conduct, as well as the noblest courage. He was unwilling to quit the advantage of his ground, and stood expecting the French to give the first charge; but when he found they did not advance, and that the eager impatience of his men was no longer to be restrained, he exclaimed, "Since our enemies have intercepted our way to Calais, let us break through their army, in the name of the most glorious Trinity, and in the most propitious hour of the whole year." Then alighting from his horse, with a resolution to put himself in the same danger with the meanest of his army, he commanded his standards to move forwards, and the archers on the right and left to advance upon the enemy.

The arrangement of the battle was committed to Sir Thomas Erpingham, an old experienced knight; who, with a truncheon in his hand, led the way, and gave the signal for engaging by throwing it into the air, at which the whole army gave a loud and terrible shout. But perceiving the French did not advance to meet them, they halted; and, with a second shout, the archers in the van began the engagement. These being lightly clad, used their bows with such strength and agility, that their yard-long arrows, drawn up to the head, pierced with irresistible force wherever they fell. At the same time the two hundred bow-men in ambush per-

\* According to Rapin and Echard; but there was no lord Stanhope at that time, Sir Philip Stanhope, not being created baron of Shelford till the 14th of James I. and afterwards in XXIX.

the 14th of Charles I. earl of Chesterfield. The person here meant, says Tindal, was Sir John Cornwall, afterwards lord Stanhope. Vid. Dugdale.



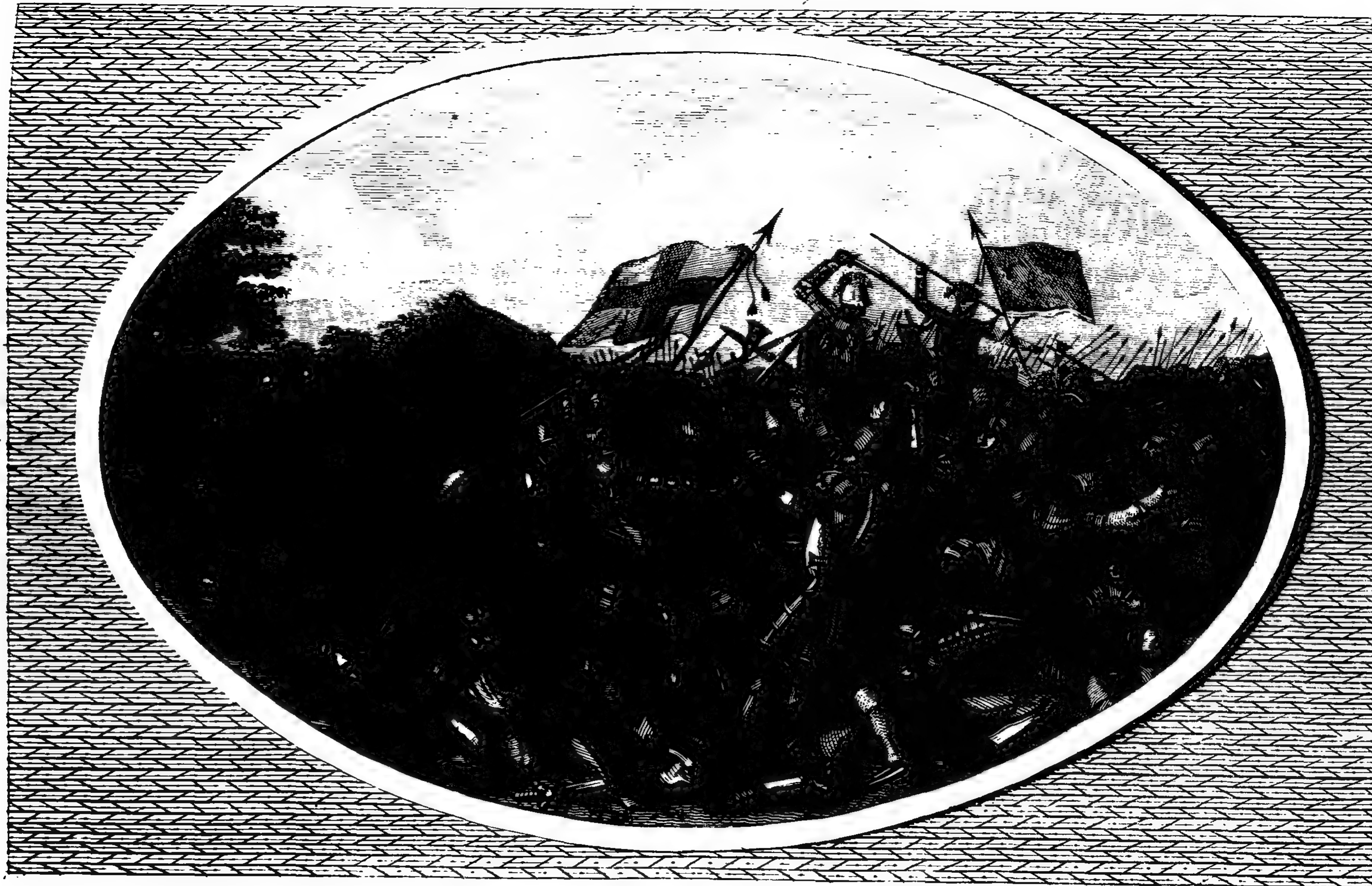
formed wonders, every arrow, as it were, being winged with inevitable destruction. A thousand select French horse bravely advanced against the archers in the van, and with great fury endeavoured to break them; but were so terribly annoyed, that they rashly advanced without order, the hindmost ranks pressing those before, insomuch that they soon became a confused mass, resembling a tumultuous rabble, rather than orderly troops; and the horses sinking into the miry ground, tormented likewise with arrows, were grown furious, and would no longer yield to the government of their riders. But the bow-men perceiving the French advance with that ferocity, retired within their sharp-pointed pikes, which covered them in the front and both the flanks. The enemy in their heat and fury spurred their horses on these pikes, with which their breasts, sides, and shoulders, were greatly galled, so that they flounced and plunged, and either tumbled on the spikes, or throwing their riders, impaled them. The English continued to overwhelm the disordered enemy with showers of arrows; and the French troops being thus discomfited, fell back with such precipitation upon their main body, that they broke their order. The archers seeing their rank opened, with great bravery threw away their bows, and with sword and battle-axe rushed into a close fight: for though the French men at arms at first fought valiantly, and repulsed them, yet being disordered and broken, they could not sustain a second charge, but were entirely routed, and the greatest part of them destroyed.

In the mean time the victorious Henry, at the head of his main body, advanced to charge the second line of the enemy, which yet stood firm. In this rencounter, he acted not only the part of a general, but also of a common soldier, and his excess of courage made him hazard a life on which alone depended the safety of his whole army. He fought with great bravery in the front of his forces, where his person was exposed to so much danger, that eighteen French gentlemen having combined together to kill him, penetrated so near to his person, that one of them with a battle-axe struck him on the crest of his helmet. But this bold action was fatal to them, for they were all slain upon the spot; and here the valiant David Gam, formerly mentioned, signalized himself in defending his prince with the loss of much blood, and at last with the life of himself and two of his relations; of which service the king was so sensible, that as they lay languishing in the field, he gave them the honour of knighthood, as the only acknowledgement he could make for their bravery. Still the fight continued with great obstinacy and fury; in which the duke of Gloucester being struck down with battle-axes, the king gallantly stood over his brother's body, defended him, and saved his life; where he received so violent a blow on his head, that he fell on one knee, while two gentlemen, whose armour was like the king's, were killed. The English, still encouraged by their glorious king, at length broke the lines of the French battalions, and put them into some disorder; for their horse, which had been galled with arrows, were now ungovernable; and the English horse, placed in ambuscade within the wood, rushed forth with a mighty shout, and furiously attacked their rear. The duke of Alençon, supposing the battle lost, and disdaining to survive the fatal day, pressed into the thickest of the fight, and attacked king Henry in person, crying out that he was the duke of Alençon, and, with a furious blow of his sword, clave off a great part of the crown, which was the crest of his helmet. This so roused the English monarch, that with redoubled force, he not only struck Alençon to the ground, but, with his own hand, slew two of his followers. Those who were about his majesty's person soon surrounded the duke, and, with many wounds, caused his death, while the generous king endeavoured in vain to save so noble a competitor: for the faithful English, enraged with the sight of their prince's danger, could not be persuaded to spare a life that had put his to the least hazard.

The French troops in the rear were yet in good order, and if they had not wanted courage, might have renewed the battle; but when they saw the two first lines of their army entirely routed, they were disheartened; and observing that the English horse wheeled off to charge them in the rear, they fled without resistance. The English soldiers then made a great slaughter among them. Some flying troops of the enemy again rallied, which the king observing, and considering the numbers of those that fled were more than all his army, he sent a command to them by a herald to leave the field, threatening, that if they presumed to withstand his victorious arms, he would shew them no mercy; which so daunted their minds, that they immediately obeyed and withdrew; only six hundred men at arms making a shew of resistance, were immediately put to the sword, by the English soldiers. The victorious king thought he had cleared the field of all his enemies, when suddenly he was alarmed with a noise that the French had entered his camp and plundered it. For some troops of the French, who had fled first, understanding that the king's camp was weakly guarded, soon broke into it, either aiming to retrieve the dishonour of their defeat, or covetous of booty; and, having easily overcome the few that were placed for its defence, they robbed the tents and carriages, and carried off the king's crown, glorying in the noble spoil, as if they had been victorious. It was now the close of the evening, and the king became apprehensive that the numerous enemy, though broken and dispersed, might gather into a body and surround him in the dark. He knew that the number of prisoners exceeded that of his own men, and that it was impossible, at the same time, to fight and secure them from destroying his own soldiers; which national apprehension, together with the intelligence of the arrival of fresh troops, forced him upon an action so contrary to his merciful and generous temper, that he could not resolve upon it without the highest regret; he commanded all the prisoners to be put to the sword, except those who were of the greatest note; which order, though in appearance barbarous, was rendered necessary by the extremity of his affairs. He then ordered his forces to prepare for another engagement, who, though weary with fighting three hours, and many of them being wounded, yet they readily obeyed; and with their former resolution, marched to beat them out of their camp; but they having hastily plundered it, soon left it, and were got beyond the reach of pursuit. The base surprisal of the king's carriages, which was one main cause of the slaughter of the French prisoners, was so generously relented by the duke of Burgundy, that he imprisoned the chief actors, and designed to have put them to death, had not his son, (to whom they presented king Henry's sword, the guards of which were of gold, beset with jewels of great value,) interfered in their behalf.

Thus, by the mighty valour of king Henry and the English, a glorious and wonderful victory was obtained; yet this great prince was justly sensible of a superior cause, and that evening, at the head of the remaining part of his army, he solemnly praised the Sovereign of the universe for his success, directing the 115th psalm to be sung; and at that verse, "Not unto us, O Lord, not unto us, but to thy name be the glory," he commanded all his army to prostrate themselves to the ground, as a token of their deep humility. After that, in the presence of his nobility and officers, and five French heralds, who were to obtain leave to bury their dead, he declared, "That it was not his own, but an Almighty hand which had gained so great a victory; and that the dismal sight they had before their eyes, was ordered by the divine justice to punish the sins of France." He then put the question, in form, both to the French and English heralds, whether he or the king of France was to be acknowledged victor? and having the honour adjudged to him, he asked the name of the next castle, to which answer was made "Agincourt." Then said he, "Let this, to all posterity, be





*The Battle of Tewkesbury.*

*Printed by W & J. Staggard, 11, Holborn Hill, Nov. 3, 1871.*



be called **THE BATTLE OF AGINCOURT.**" After which, the night growing late, he marched with his wearied soldiers out of the field to Masconcelles, where they had lodged the night before. In this memorable battle were slain, on the side of the French, the general himself; the constable of France; the admiral of France; the dukes of Brabant, Bar, and Alençon; the earls of Nevers, Marle, Vandemont, Blamont, Rouffy, and Faukenberge; and many other noblemen, of which a long list remains upon record. In all were destroyed about ten thousand men, of whom seven or eight hundred were said to be of noble birth, and above a hundred of them princes, who had banners carried before them in the field. The account given by Elmham is this, that there were killed one archbishop, three dukes, six earls, ninety-two barons, fifteen hundred knights, and seven thousand esquires and gentlemen. Of the prisoners sixteen hundred were men of quality, among whom were the dukes of Orleans and Bourbon, the marshal Bouciqualt, and the earls of Eu, Vendosme, and Richemont. All this was effected with a very inconsiderable loss on the part of the English: for Walsingham only reckons the duke of York, uncle to king Henry; the young earl of Suffolk, four knights, one esquire, and twenty-eight common soldiers; though others, with more probability, account the number of the slain to be about four or five hundred.

Upon the day after the battle, the twenty-sixth of October, king Henry took his march towards Calais; and passing the bloody field, he ordered search to be made for all the English, whom he caused to be interred according to their quality; but he took the bodies of his uncle the duke of York, and the earl of Suffolk along with him, in order to their being more honourably interred in England. Then viewing his army, he, in an animated speech, applauded their valour, of which he had seen such admirable effects in the victory he had so lately gained: yet he admonished them, to ascribe all to the favour of the Almighty, who had wrought a miracle, in making so small a body of men victorious over such a numerous army, to abate their vanity and presumption. He further added, that he could not but adore the Divine Providence for its care of the lives of his subjects, that so few had fallen in battle: yet he could not behold such streams of blood, but the sight of his own fellow-soldiers affected him with the most tender compassion; therefore he had performed the last rites due to such magnanimous souls, in burying their bodies, that they might not be exposed to wolves and vultures. In his march to Calais this generous prince shewed the most obliging behaviour to his noble prisoners, the dukes of Orleans, Bourbon, and the rest; and entertaining them at dinner, he with the greatest modesty condoled their condition, and applauded their valour, attributing nothing to himself, but to the God of armies, which had designed to punish the crying sins of France; and after dinner he presented to every one of them a robe of rich damask; further testifying the same inclinations to peace, as he had before he began the war. Afterwards when the duke of Orleans appeared very melancholy, and declined eating, the king with the most engaging air said, "Courage, good cousin, I have not conquered you, because I am superior in merit, but because God would punish the French people for their heinous sins; and if he is justly angry with them, it is not decent for you to be angry with him, or to repine at his proceeding." Shortly after the duke of Burgundy, enraged at the loss of his two brothers, the duke of Brabant and count de Nevers, sent a herald with a gauntlet of defiance, threatening him with the utmost revenge. The king calmly returned the gauntlet with this prudent answer, "Go, tell your master, that he has no reason to be my enemy; that I am heartily sorry for the death of his brothers, which is not to be charged upon me or my soldiers; and if he pleases to come to Boulogne, he shall receive satisfaction out of the prisoners I have in

my possession, that the French alone are guilty of their blood, and of them he is to require it." As this battle was highly afflicting to all France, so it affected the Dauphin to such a degree, that he died shortly after.

On the 16th of November the triumphant king left Calais, and embarked for England; and, after encountering a violent storm, arrived safely at Dover, where he was received amidst the acclamations of his rejoicing subjects, who were assembled in vast crowds along the shore. Arriving near Canterbury, the archbishop, abbot, and monks met him in their richest habits; and as he approached London, the mayor and aldermen, together with about four hundred of the principal citizens in their gowns, attended his coming on Blackheath; and at St. Thomas of Watering, the clergy of the city waited on him in a solemn procession, with the relics of seventy saints. Such was the superstition of the time. As he passed through the streets, he saw both sides of the way hung with the richest tapestry, wherein were represented the glorious actions of the English kings in war; he heard psalms and hymns sung in joy for his victory. Yet still giving all the glory to God, he declined his own praises; and in all this triumph would not permit his dented helmet, and bruised armour to be carried before him as the trophies of his daring valour, but expressly forbade it, as too vain an affectation of glory. At St. Paul's Cathedral he alighted from his horse, and made his offerings with the utmost devotion; and then proceeded to Westminster, where his palace was prepared for his reception, and for the accommodation of the chief of the French prisoners. In the morning the mayor and aldermen, with two hundred of the citizens, attended his majesty with a present of a thousand pounds in gold, in two golden basons worth five hundred pounds more, which were received with the most obliging marks of gratitude. Then that all his subjects might join with him in praising God for the success of his arms, he appointed days of thanksgiving to be observed through all his dominions: and that he might perform the last rites to the memory of the duke of York and the earl of Suffolk, he summoned a great number of bishops and abbots to celebrate their obsequies, the former being buried at Fotheringay in Northamptonshire, and the latter at Ewelme in Oxfordshire. And thus concluded that great and memorable year for the glory of the English nation 1415.

The wars between England and France having alarmed all Europe, and a peace being generally desired, that the Christian princes might unite against the common enemy the Turk, Sigismund the emperor, a man of great wisdom and abilities, employed his mediation, with a view to make war upon the Turks. Intending to visit both these western monarchs, he went to the French court in the beginning of 1416, attended with eight hundred horse, where he earnestly solicited king Charles to accommodate matters with the English; and finding an outward appearance that he was ready to embrace the motion, he took with him the archbishop of Rheims as ambassador from the French king, and travelled in the same state to Calais. Here the governor of the town, the earl of Warwick, with the garrison in arms entertained him at king Henry's charge with so much honour, that his Imperial majesty was charmed with the reception, and afterwards acquainted the king that no Christian prince had a knight equal to him for wisdom, good breeding, and courage; and that if all courtesy were lost, it might be found again in the earl of Warwick. After two days continuance, thirty of king Henry's ships arrived, in which the emperor embarked with a noble retinue, consisting of a thousand persons, among whom were the count palatine of the Rhine, the duke of Milan, and many sovereign princes both of Germany and Italy. On the 29th of April he landed at Dover, where he found the duke of Gloucester, constable of the castle, with



with many English nobility on the shore; who boldly stepped into the water with their drawn swords, as the emperor was ready to set his foot on land, declaring, "That if he came as a mediator for peace, they would receive him with the honours due to the imperial dignity: but if, as emperor, to claim any authority in England, which was a free kingdom, they were ready to oppose his landing." The emperor assuring them, that his thoughts were free from any such design, and that he came to establish peace between England and France, the English nobility received and conducted him in an honourable manner. At Canterbury he was met by the archbishop of that see, at Rochester by the duke of Bedford, at Dartford by the Duke of Clarence, and at Blackheath by the king himself, not only with that respect which his dignity and merit challenged, but with an affection due to a person related to him by the marriage of Barbara, daughter to the earl of Zilie, the king's cousin-german. His entertainment was magnificent, and his charges all borne by king Henry, who the more to honour him, installed him knight of the Garter at Windsor, after the most solemn and pompous manner; and the emperor so esteemed this honour, that he always wore the collar when he sat in any assembly.

Shortly after the emperor insisted upon the business for which he came, and earnestly entreated that a peace might be concluded with France, in which he was calmly heard by the English king; but upon new disputes for a lots of men in the territories of Rouen, the idea at that time was laid aside, and could not succeed, lest the French should suppose him discouraged at a small loss. Yet the emperor, continuing his intercession for peace, had probably effected it by his persuasions, if the French had not about the same time laid siege to Harfleur, both by sea and land. For not long before the earl of Dorset, governor of that place, having made an inroad into the county of Caux, in Normandy, was attacked by the earl of Armagnac, the constable of France, and so distressed, that he was forced to retire into an orchard, with the loss of three hundred men. After which, in his march toward Harfleur, he was intercepted by the earl, with such numbers and such advantages by the sea-side, that the constable was so sure of victory, that he sent a herald to the earl of Dorset to summon him to surrender himself and his troops prisoners. To which Dorset heroically replied, "That it was not the custom of the English to yield without fighting, nor was he so cowardly as to surrender to an enemy whom God might deliver into his power." Upon which Armagnac marched fiercely down the hill to seize his prey, but was so vigorously annoyed by the archers with a perpetual shower of arrows, that his forces were extremely disordered before they could charge the enemy. After which a close engagement with sword in hand was long maintained, until the English, by their incomparable valour and bravery, prevailed against the inequality of numbers, and defeated the constable, with the loss of twelve hundred of his men, and the great hazard of his own person: which victory was the more considerable, since the number of the English, according to Walsingham, was no more than fifteen hundred, and that of the French fifteen thousand. To repair this disgrace, the constable first hanged up many of his men, and after a reinforcement he besieged the town of Harfleur by land, while the viscount Narbonne, vice admiral of France, with a large fleet entered the mouth of the Seine, and did the same by water.

King Henry hearing of this news, immediately recalled his ambassadors, the bishop of Norwich and Sir Thomas Espingham, then in commission for an accommodation with France; and the emperor perceiving that the French took all advantages, and that king Henry would not bear such usage, judged it in vain to make any further endeavours; therefore he resolved to leave them to the sad effects of war, and enter into a league with the king of England, which was soon concluded to this effect: "That since his Imperial ma-

jesty, desiring to establish a general peace in all the Christian states, had endeavoured to compose all differences between France and England; and since the French king had industriously declined all offers that might contribute to the happiness of either: therefore the king of England, and the emperor Sigismund, had entered into a strict alliance mutually to support and defend each other against all persons, the church and pope of Rome only excepted. That neither of them should pursue any designs injurious to the other's advantage; but contribute all they could to the advancement of each other's honour and benefit. That, without any act of hostility, the subjects of both princes should have free liberty of trading in all their dominions, paying the usual tolls and customs. That neither of the two princes should allow sanctuary to any rebel or exile of the other's subjects; nor should engage in any war, without the knowledge and consent of the other. That both the princes might prosecute the war against France for the recovery of their rights; and that they should mutually assist each other for the obtaining of that end. And, if a peace should be concluded with France, and the demanded territories be restored, they should mutually maintain each other in the possession of them." The league was concluded and signed August the 15th, 1416, and not long after confirmed in parliament.

In the mean time the French, who had experienced the weight of the English arms, and seen that king Henry had recalled his plenipotentiaries for peace, resolved to fit out their greatest naval power, both to block up Harfleur, and annoy the English nation. But because the French king could not suddenly provide such a number of ships as the occasion required, he hired of the republic of Genoa eight large carracks, and other vessels from Spain and Flanders, which with his own ships made a fleet of five hundred sail. These cruising about the British seas insulted many English merchant ships, which so exasperated king Henry, that he designed to have gone in person against them, but the emperor dissuading him from the attempt, the charge of that enterprize was committed to his brother John, duke of Bedford, accompanied with the earls of Marche, Oxford, Huntingdon, Warwick, Arundel, Salisbury, and Devonshire, who having between three and four hundred ships, and twenty thousand men on board, resolved to engage the French fleet. Shortly after a fierce and long rencontre took place, in which the valour of the duke of Bedford and his brave adventurers so far prevailed, that the French ships were most of them disabled, sunk, and taken; and, according to Harding, their loss amounted to twenty thousand men. Immediately after, the duke supplied Harfleur with ammunition, provisions, and other necessities, which the garrison were in extreme want of. This circumstance so much discouraged the constable D'Armagnac, that he broke up the siege, and returned to Paris. This extraordinary service was so much admired by the emperor, that he openly declared, "That England was happy in having so excellent a king, but the king more happy in having such courageous and affectionate subjects;" and ever after shewed a particular esteem for the duke of Bedford.

The emperor's affairs being finished, and all royal entertainments gratefully acknowledged, he prepared for his return to Germany, and king Henry, to do him more honour, accompanied him to Calais; where after their arrival, the duke of Burgundy repaid to pay his homage to the emperor; which duke some months before, had concluded a truce with the earl of Warwick, in behalf of king Henry, for the counties of Flanders and Artois. Henry, therefore, in hopes of a further amity with a man of his interest, sent his brother the duke of Gloucester, and the earl of Marche to remain as hostages at St. Omer's for Burgundy's safe passage and conduct, with whom he sent the earl of Warwick to escort him to Calais. His reception was very honourable, both from the emperor and the king of England; with



with the former he performed his homage, and with the latter he renewed the truce for two years longer; both which were so displeasing to the French, that the emperor was condemned by them for augmenting those miseries in France which he pretended he came to relieve, by animating Burgundy against Orleans, and encouraging king Henry's vanity in the thoughts he had entertained of prevailing against a weak king. This is certain, from the archives of this kingdom, that secret articles were signed at Calais by the duke of Burgundy, in vindication of king Henry's title, in which he acknowledged him to be the rightful king of France, and accordingly would declare himself for him in due time. Yet in a few months after, as though he had forgot that strict engagement, he consented and swore to a league with the king and dauphin of France against the power of England, and acted accordingly.

After the duke of Burgundy's departure, the king prepared for his return into England, and the emperor made ready to go by sea to Dort in his way to Germany. He despaired of obtaining a peace between England and France, and was extremely dissatisfied that he had wasted so much time in an unsuccessful mediation; he detested the insincerity and shifting disposition of the French, and highly applauded the plain dealing of the English. There had been so free and open a correspondence between him and the king of England, that the one did not keep any thing secret from the other; and the like mutual affection and confidence was scarce ever known between two princes. After the most amicable parting, the emperor set sail for Dort, to which place he was attended by the duke of Gloucester, Sir John Tiptoft, and many other English knights and gentlemen, to whom he presented a thousand crowns in gold; and likewise sent many rare and valuable presents to king Henry, as pledges of his gratitude and esteem. From Dort his imperial majesty repaired to the famous council of Constance, which had now continued near three years. As the English had bore a great share in this council, we cannot pass over the transactions of it in silence.

The churches throughout Christendom had been disturbed for the space of twenty-nine years, and now insufferably afflicted through the schismatical ambitions maintained by three papal monarchs, mounted into St. Peter's chair, each of them so violently grasping the seat, that the joints of it were torn asunder, and the triple crown so battered by their fulminant execrations, that it was rendered unfit for any of their heads. The three contenders were Benedict XIII. elected by the Spaniards; Gregory XII. set up by the French; and John XXIV. preferred by the Italians. To prevent the mischiefs arising from this furious struggle, the princes of Christendom appointed a general council to be held at Constance in Germany, which began in February 1414, and continued above the space of three years; to which were assembled the emperor, the pope, the palgrave of the Rhine, four patriarchs, twenty-seven cardinals, forty-seven archbishops, a hundred and sixty bishops, princes, barons, and gentlemen, with their attendants, above thirty thousand. To this council king Henry sent the bishops of London, Salisbury, Litchfield and Coventry, Bath and Wells, Norwich, Hereford, and St. David's, with the abbot of Westminster and prior of Worcester, accompanied also with the earl of Warwick, to make the nobler appearance; themselves and attendants amounting to eight hundred horse: so that it was doubtful whether their honourable presence more graced the assembly, or their learning and judgment improved the whole body of the council. For two of these bishops were made cardinals, and of the thirty selected to assist the cardinals in their election of a new pope, the bishops of London, Litchfield, Bath and Wells were chosen, and the bishop of London was first nominated for pope; but he himself nominated the man that succeeded, which was Otto Colonna, by the name of Martin V. whose coronation was with mighty magnificence solemnized by

No. XXIX.

the five nations assembled, with this honour given to the English, that the prior of St. John's was the supporter of the triple crown. Touching the decrees of this council, it is sufficient to observe, that Wickliff's books were condemned as heretical, that John Huss, and Jerome of Prague\*, were both burnt, the holy maid Bridget canonized for a saint, and that England was made a nation in rank before Spain.

Before this council was dissolved, king Henry had called a parliament in London, in order to prosecute his title to the French crown, where the lord chancellor, bishop of Winchester and cardinal, in the king's behalf made an eloquent oration, declaring the earnest desire his master had to make a peace with the French, which their king continually opposed, and, against the law of arms, denied upon ransom to deliver the prisoners taken at Agincourt, so that the peace to be expected must be purchased by the sword alone. To which the whole body consented, and granted the king a subsidy and a tenth, which was graciously accepted; but it was not sufficient to defray the mighty charges of the designed expedition, therefore the king was obliged to pledge his crown to his uncle the bishop of Winchester for a large sum of money, as he did several valuable jewels to the lord mayor of London for ten thousand marks. Yet in this parliament, after having created the earl of Dorset, duke of Exeter, he commanded a thousand pounds per annum to be paid to him out of the exchequer, and forty pounds out of the customs of Exeter; which reward, though liberal, was not thought proportionable to his merits and services.

The emperor's mediation between England and France being frustrated, by the elusions of the French, king Henry disclaimed to relinquish his right so often demanded, therefore re-assuming his claim, he began the year 1417 with great preparations for war. And having got all things in readiness, with a powerful army, he resolved upon a second expedition into France, taking advantage of the two prevailing factions in that kingdom, those of Burgundy and Orleans; in which the king of France joined with the former, and the dauphin with the latter. King Henry's fleet consisted of fifteen hundred sail, having on board many lords and men at arms, with twenty-five thousand, five hundred, and twenty-seven soldiers, besides a thousand carpenters, artificers, and labourers. But before his departure, he appointed his brother John, duke of Bedford, protector of England during his absence; which done, upon the 28th of July, he took shipping, the sails of his own vessel being of purple silk most richly embroidered with gold. On the 1st of August he landed in Normandy, striking the inhabitants with terror, so that they fled from the shores, and left the country without men or cattle; insomuch, that twenty-five thousand of them retired to Bretagne; so formidable was the approach of the English. No sooner had king Henry set his foot on land, but he honoured forty-eight of his brave followers with knighthood; and then gave strict orders, upon pain of death, that the persons of ecclesiastics, and of women, should be inviolable, and likewise all others who submitted themselves to his government.

King Henry began with taking a view of Harfleur, after which he laid siege to Conquest, one of the strongest castles in Normandy, which he took on the 16th of August, and gave, together with the revenues belonging to it, to his brother the duke of Clarence: and to the earl of Salisbury, the commander of his second line, he gave the castle of Damvilliers, which about the same time he became master of; also that of Louvre to the earl-marshal; and these were the first that were invested with any revenue in France. He then marched against Caen, one of the capital cities of the province, which place was strongly fortified, well garrisoned and stored with provisions, so that nothing was wanting for a vigorous defence. Yet the king sat down before it, and his batteries not being able to make the desired impression, he attempted it by mines, and destroyed a

4 S

great



great part of the wall; yet still the besieged made a noble defence, and bravely drove the English back from the breach. Nevertheless Henry, seeing that they could not long subsist, unwilling to carry it by storm, which would inevitably have ended in the destruction of the inhabitants, whom he sought to make his subject, summoned them by a herald, and promised them mercy; which they, in hopes of relief, utterly despised. Hereupon he proceeded to a storm, which was succeeded by a great slaughter, until the king stayed the fury of the soldiers, and caused the citizens to disarm themselves, setting a strong guard, as well to keep his men from pillaging, as the inhabitants from hostile attempts: and they that disobeyed were either put to death, or obliged to procure ransom, which was freely distributed among his officers and soldiers; by which regular action king Henry here gained the estimation of a great commander, and an upright prince. The report of his clemency and generosity to those he had conquered spreading through the country, the governors of the neighbouring towns sent to him the keys of their gates. The king, to invite and encourage the people, made a proclamation, that those who voluntarily submitted themselves to his jurisdiction, should enjoy all safety, and numerous privileges under the protection of his government. King Henry proceeding in his conquests, upon the 1st of December sat down before the strong town and castle of Falaise, and though it was the midst of winter, with invincible patience he continued the siege till the 20th of the same month, when the garrison of the town, being no longer able to hold out, desired a parley, and surrendered upon articles, too long for insertion in this place.

While this courageous prince had, by a rapid conquest, in four months recovered a great part of those dominions which anciently belonged to the English kings in France, the Scots thinking his own kingdom unprovided, and hoping to make advantage of a discontented party in the nation, invading England with a powerful army, and wasted the country with fire and sword. These still pretending that king Richard was alive, under the conduct of the duke of Albany and the earl of Douglas, brought along with them a counterfeit king, and laid siege both to Roxborough and Berwick, where all imaginable methods were used for the taking of those two places. But before they could succeed in their extraordinary attempts, the protector John, duke of Bedford, and the duke of Exeter, had made sufficient provision against them, and with an army marched into the north, where, joining with the earls of Northumberland and Westmoreland, their forces amounted to a hundred thousand men, a great part of them well formed and regular. A remarkable instance of the strength of the nation, which besides the forces employed in France, could on a sudden raise such a vast army. To these joined Henry Benet, archbishop of York, who was so decrepid with age, that he was borne in his chair about the field; and the fame of his arrival, and the dread of the great English general, so discouraged the Scots, that they broke up their siege, in great disorder, and retired into their own country, leaving their baggage behind them. This was succeeded for a considerable time after with great devastations made by the English in many parts of Scotland.

The king's affairs thus settled in the north, the clergy were much eased by the securing of lord Cobham, their great disturber in the south; who had lately made new steps towards the exposing of their errors and opposing their exorbitant power. But one main complaint against him was, that he had defaced the pictures of the saints in many mass-books; some of which were shewn to the people at St. Paul's Cross, where the preacher insinuated that the offence was done to the triumphant saints in Heaven. A parliament being then assembled by the protector's authority, for a supply of money against France, it was there thought a matter of that importance, that a great reward was

offered for his apprehension. Not long after the lord Powis took him in Wales, after a noble resistance and many wounds; and brought him to Westminster, where he appeared before the parliament. Having been before outlawed upon treason in the king's bench, and excommunicated by the archbishop for heresy, it was adjudged upon the record and process, that he should be carried to the Tower, and thence be drawn through the city to the new gallows in St. Giles's Fields, there to be hanged about the middle, and burnt hanging in a chain. All which was performed with the highest execrations of the priests, who adjured the people not to pray for a man who was "certainly going to hell, because he died in obstinate rebellion against the pope." Thus died the great lord Cobham; and as this was the first noble blood that was shed in England on the account of religion by popish malignity, so perhaps never any suffered a more cruel martyrdom.

In the year 1418, the unhappy kingdom of France was more and more filled with the miseries of war, which king Henry prosecuted with such unwearied vigour, that he besieged and took towns in the depth of winter, nor could all the rigours of the season stop the progress of his conquests. To make the quicker advances in subduing Normandy, by besieging many towns and castles at the same time, he divided his army into several bodies. The duke of Clarence at the head of one of them besieged Chambroise, and the castle of Beche-Lovyn; the surrender of the first being concluded on the 9th of March, and that of the latter on the 4th of May following. The duke of Gloucester led another body of the army into the county of Conflantine, a large neck of land reaching into the sea, opposite Portland on the English shore. The town and castle of Vire were agreed to be surrendered February the 21st, and the like agreement was made about St. Lon the 12th of March. On the 16th of the same month, the town and castle of Charenton capitulated; on the following day Pontdown was delivered to him, and eight days after St. Saviour le Vicone. The strong town of Cherburgh made a stouter resistance than any of the rest, but at length was forced to capitulate in the latter end of August. While these and several other places were taken by the English, king Henry, after some new offers of accommodation, resolved to besiege Rouen, the capital of Normandy, a city strongly fortified with extraordinary walls, towers, and a vast ditch, and containing a very numerous garrison. The citizens also, presuming upon the strength of the garrison, and in their own numbers, which were near three hundred thousand, resolved to defend the place with the greatest vigour, and to endure all extremities, rather than surrender, since to that one place the inhabitants of Normandy had brought all their treasure, accounting it their last refuge and retreat, and by a prudent foresight had been diligent to fortify it in the beginning of the war.

The king after he had taken Pont de l'Arche, eight miles distance from Rouen, and accounted the key of the river Seine, laid close siege to this important place: but understanding the obstinate resolution of the besieged, he would not lavish the lives of his soldiers in continual attacks, but determined to cut off all provisions and relief, and reduce it by famine. To this end his army surrounded it by land, and a squadron of ships, blocked up the mouth of the Seine. Then to secure his camp from assaults, he encompassed it with a large intrenchment pitched with sharp stakes, and defended by a high rampart, bulwarks, and turnpikes. Sir Robert Bapthorp was appointed to oversee this work, which he performed with great skill and diligence, as he had before the trenches between the camp and the town. The king himself encamped on the east of the city, the duke of Clarence on the west, and the duke of Exeter on the north; between whom was quartered the marshal, joined with the earl of Ormond, and the lords Harrington and Talbot. Before the port of St. Hilary, the lords



Rofs, Willoughby, Fitz-Hugh, and Sir William Porter, encamped their forces. The earls of Mortaigne and Salisbury pitched near the abbey of St. Katherine's; Sir John Gray about the chapel on mount St. Michael's, and Sir Philip Leech upon a hill adjoining. The river Seine was blocked up with three iron chains, one of them laid two feet above the water, another level with it, and the third two feet below it, to hinder all relief from coming to the city by boats; and the charge of which was committed to Thomas, baron of Carew, who very exactly performed it. On the other side of the river were encamped the earls of Warren and Huntingdon, the lords Neville and Ferrers, and Sir Gilbert Umfreville, directly before the great port de Pont; and for a general communication of one part of the army with the other, a bridge was made over the river Seine, sufficient for carriages as occasion might require.

During this memorable siege, many skirmishes happened, but no general assaults; and thus it continued from the beginning of July till December, when the besieged began to be in great distress for want of provisions; and to disburthen themselves, they thrust out twenty thousand men, women and children, who were unserviceable for the defence of the city, and exposed them to the mercy of the English. When king Henry saw this miserable multitude shut out of the gates, though he resolved to force them back to increase the misery of famine, yet being unwilling to attack a company of unarmed and helpless exiles, he gave orders to pour upon them a shower of arrows, shot from bows slightly down, to affright rather than wound them. Fear drove the poor starved creatures to shelter themselves in the ditches of the town; and while they remained there three days in great misery, many of the women were delivered: at last, the cries and groans of so many thousands prevailed upon the king's compassion to send them food, until the pity of the garrison was moved to receive many of them within the walls. The famine and mortality soon grew to that height, that fifty thousand of both sexes perished; and in one burying-place above two and thirty thousand were thrown into the ground. Persons of better quality ate their own horses, and the poorer people fed on dogs, cats, rats, and mice; so obstinate were they in holding out to the last extremity. Little infants hung on the breasts of their starved mothers as they lay dead in the streets; and the rage of famine forced the distracted multitude to a thousand violences, and they wounded and even killed one another to rob them of their execrable subsistence, which was scanty indeed. And so tyrannical was the force of hunger over the most powerful considerations, that young virgins abandoned their modesty, and prostituted themselves for a morsel of bread. In this deplorable condition, relief was often promised, but instead of supplies, the bishop of Beauvois, accompanied with the cardinals of Erins, sent from the pope, were dispatched to king Henry to solicit for a peace; and the better to effect it, they brought the princess Katherine's picture, which gave king Henry great satisfaction, insomuch, that according to some, he became enamoured of the lady at the sight of it. But he demanded a million of crowns, with the dukedoms of Normandy, Gascony, Anjou, and other territories for her portion; therefore nothing material was concluded.

At length the enraged Rouennois, totally destitute of succours, and despairing of peace, resolved to make a sally upon the king's quarters, to perform which ten thousand select men, with their commanders, issued out of the town. The van-guard, consisting of two thousand, being past and engaged with the besiegers, by misfortune the draw-bridge broke down with overweight of men, and drowned, killed, and hurt vast numbers. This so destroyed the passage, that they could not advance to the relief of their companions who were engaged, but by another gate at a considerable distance; but before they could assist them, their whole body was broken for want of support, and most of them

killed and taken prisoners. Upon which strange disaster, the soldiers within mutined against De Boutelier their general, boldly complaining that he had contrived the breaking of the bridge. In these calamities, after several remonstrances on both sides, king Charles returning towards Paris, sent a message to the besieged, that they must take care of themselves; which surprising answer struck a fatal damp upon their hearts, and raised the rage of the multitude to that degree, that they willingly agreed to a treaty with king Henry; which being proposed to the king, three magnificent tents were erected at Port St. Hilary for the reception of the commissioners, who were four ecclesiastics, four knights, and four burghers of the town: those for the king were the archbishop of Canterbury, and the earl of Warwick. The demands of the Rouennois were many and high, but the answers received were short and peremptory, that no conditions would be allowed, but barely yielding to the king's mercy. Which answer being returned in a public assembly, rage and despair prompted them to all extravagancies that could proceed from fire, sword, and the demolition of the whole city. But the generous king, pitying a wretched people so obstinately bent on their own ruin, resolved to save them in spite of themselves, and to have that noble city delivered to him, untouched by fire. Remitting therefore the rigour of his first demands, he again sent for the commissioners by the archbishop to treat upon milder conditions, which was at last concluded in twenty-three articles on the 13th, and the town was surrendered on the 19th of January 1419: of which one was, "That the inhabitants should pay the sum of three hundred thousand crowns of gold, two of which were to be equal to an English noble." For which the citizens of Rouen were to enjoy all the liberties and privileges that had been granted by any of the kings of England, and dukes of Normandy, before Philip de Valois. And thus Rouen was subdued to the crown of England, two hundred and fifteen years after the conquest of it by Philip, king of France.

On the following day king Henry made a triumphant entry into the city, accompanied with four dukes, ten earls, eight bishops, sixteen barons, and a great number of knights, esquires, and men at arms. At his entrance within the gate, all the bells of the city were rung, and the abbots and priests met him in a solemn procession, in which were carried forty-two crosses, with the relics of several saints. They marched before him to Notre Dame, the great cathedral, where at the porch he alighted, being received with the utmost solemnity by the bishop and canons; then entering the church, he offered up his thanksgivings at the high altar, and ordered his chaplains to sing a psalm of praise. He took up his abode in the castle that night, and continued in it the ensuing day, receiving homage from the citizens. In the morning he gave orders that Alain Blanchart, an incendiary excepted in the articles, should be beheaded, but pardoned the rest that were left to his mercy, imposing only a fine upon them. Then to settle his new conquest he established in this city his exchequer, coinage, and chamber of account of the revenues of Normandy, and built a tower behind the castle, as an additional strength to keep the city in subjection. He fortified the bridge, and began to build a palace on the Seine, and published new orders to regulate the business of trade, reducing the measures to a certain standard. He kept his court at Rouen for some time, and wore the ducal robes as duke of Normandy. On February the 15th, he ordered proclamation to be made, that all who would come in and swear allegiance to him, should be received into his favour and protection: on March the 12th he gave orders, that an exact account should be taken of the names of all the inhabitants, men, women, and children, within the bailiwicks of Rouen, Constantin, and Alençon.

King Henry had now not only the dukedoms of Normandy subjected to him, but Picardy and the Isle of France lay open to his arms; insomuch, that though the French king and the duke of Burgundy had strongly garrisoned



garrisoned the frontiers to stop the incursions of the English troops, yet they penetrated as far as Ponthoife, Cleremont, Beauvais, Montdidier, Breteuil, Amiens, Abbeville, and St. Valerie; and plundering several places, enriched themselves with the booty. This mighty progress first brought the duke of Bretagne to an alliance with king Henry; who finding France unable to protect him, agreed to a mutual amity, and that no acts of hostility should be committed by either of their subjects, without a declaration of war six months before. In the mean time the dauphin, who in opposition to the duke of Burgundy had taken upon him the administration of the government in France, invited the king of England to a treaty; but when the ambassadors should have met to appoint the place and manner, the French not only failed to appear at the appointed time, but shewed such collusion when they came, that the pacific endeavours proved ineffectual. However, the duke of Burgundy became so apprehensive of the dauphin's increasing interest, that he once more desired a treaty with king Henry, that by the help of such a potent ally, he might secure himself against the designs which that prince had concerted to cause his destruction. It was therefore determined in the council of the king of France, "That it was expedient for the safety of the nation, to settle an alliance with the king of England, by giving him in marriage the princess with some provinces of the kingdom." After an embassy and a short truce, it was concluded, that the two kings should have a solemn interview at Melun, where the queen and princess should be present. For that purpose a spacious field was well intrenched and ramparted with strong gates, and two stately pavilions erected in it, the one for the two kings to converse and repose, and the other for their agents to consult in.

King Charles, queen Isabel, the princess Katharine, the duke of Burgundy, and the count St. Paul, first arrived with a train and guard of a thousand horse. On the other side, king Henry, with his brothers the dukes of Clarence and Gloucester, attended with a thousand horse, observed the appointed time and place; and now the illustrious company met with the utmost pomp and ceremony; king Henry saluted the queen and princess, and received Burgundy into his arms; and the two nations, though mortal enemies, demeaned themselves with so much civility, that no cause of quarrel was offered on either side. Many points were discussed, and many offers were made to king Henry, particularly, that all the territories and towns contained in the treaty of peace made at Bretagne with Edward III. the whole dukedom of Normandy, and all other places now in his possession, should be confirmed to him and his heirs. Many days were spent without coming to a conclusion, and many conferences were held, from which the princess had absented herself. The queen had brought her to the first interview, in hopes that the charms of her beauty might prevail more on a young conqueror than all the subtle arts of statesmen in a treaty. Nor was she wholly mistaken; for his heart, though armed with fierce bravery and undaunted courage, was not impenetrable to the softer passions; and that soul which never was acquainted with fear, at the first sight of so engaging a lady, was won by her appearance. The discerning queen soon observed that her daughter's eyes were more powerful than all the arms of France, and resolved to make all possible advantage of this violent affection; flattering herself that the king would comply to any conditions, provided his marriage with the princess were one of them. She thought, therefore, to practise upon him the usual arts of her sex, and to inflame his passion by the absence of his mistress; but her design had a different success than she expected; for, as he was quick of discernment, he soon observed the artifice, and the sense of the affront made him inflexible to any condescension, so that he insisted more firmly on his first propositions. And knowing that the chief affairs of France were committed to the duke of Burgundy, the idea that he had obstructed, the conclusion of the peace and marriage

fired him with the greatest indignation against him. When therefore the duke remonstrated the excess of his demands, the king in a violent passion exclaimed, "I will not only have your princess, but your king himself in my power; and I will have what I demand in marriage with her, or force him from his throne, and you out of his kingdom." To whom the duke more calmly replied, "Before you can dethrone my king, and expel me the kingdom, you may find cause to repent the enterprize; and I doubt not, but we shall make you weary of the war."

This convention at Melun ended June the 13th, at which time it was agreed to meet again on the 3d of July following; and king Henry came, but the French disappointed him. And in reality it was manifest, by all their proceedings, that they never designed to conclude a peace, but only aimed to amuse the English with vain offers and promises. They had promised that king Henry should possess all his conquests, and hold them without dependance; and that all should be confirmed to him, which had been granted in the grand treaty between Edward III. of England, and John, king of France\*; but when the articles came to be drawn into form, and ingrossed, the French perplexed all things by starting new difficulties and questions. The duke of Burgundy, whose heart was truly French, all the time of the convention, had frequent meetings with the dauphin near Paris, and it was now strenuously endeavoured to reconcile the grand parties of Burgundy and Armagnac; and accordingly proclamation was made at Paris, that none should raise any contest on the account of such names of distinction. King Henry therefore, perceiving the artifices of the French, resolved to break off the treaty; and, according to the first agreement, he gave public notice of its dissolution; complaining of the unfair proceedings of his enemies, who had continually deceived him, and only designed, under colour of treaty, to work delays and hinder his conquests. Shortly after he understood that the dauphin and the duke were reconciled, and entered into a firm alliance, which much raised the indignation of the hero; and though in appearance all the forces of France were united against him, this was so far from discouraging him, that it roused his martial ardour to oppose the growing danger. And having taken care to regulate and reform the corruption of manners and discipline in the churches of England and Normandy, he resolved to proceed with vigour and vigilance.

Ponthoife was the next town of consequence which lay in the course of king Henry's conquests, the possession of which would open the way to Paris. To the end that he might get that place in his power, he sent on the last day of July, three thousand foot, which before day-light, and undiscovered by the centinel, set their scaling ladders to the walls, mounted up, and crying out St. George! some entered the town, to the great amazement of Monsieur de l'Isle Adam, marshal of France, and governor of the place, who immediately fled out at another gate next Paris, and was instantly followed by above ten thousand of the inhabitants. So that the English easily became masters of the town, which was so considerable for its riches, and such an advantageous post, that the king in a letter declared, he accounted it the most important place he had taken since the war. Yet he was to little elevated by the success, that he sent this message to the king of France, "That though he had taken so considerable a place, which opened a way to the conquest of his capital city, yet he now offered him peace upon the same terms he had proposed at the treaty of Melun." All Paris was in great consternation upon the loss of Ponthoife, and the terror was so general throughout the adjacent country, called the Ile of France, that the villages were universally deserted. The king of France, with his queen and daughter, the duke of Burgundy, and many noblemen, retired to Troyes in Champagne, leaving Paris under the government of the count St. Paul, and De Laetie, chancellor of France, while the duke

\* See our Abridgment of the Treaty of Bretagne, p. 284.



duke of Clarence marched to the walls of that vast city, and lay before it two days, his troops ravaging the neighbourhood. After which the castle of Gisors, which held out three weeks, was taken by composition; the earl of Huntingdon sacked Preaux, burnt Bretvil, Clermont, and the castle of Vendvil; and king Henry himself laid siege to the castles of Galliard and Rochguien, two of the strongest places in Normandy, which surrendered upon articles. Then returning to Mante, the king divided his army into three bodies, with one of which he ordered the duke of Gloucester, who had taken Ivres, to storm the castle of St. Germain en L'Haye, which was soon surrendered to him; the other he sent to attack the castle of Montjoy, which the English, by fierce assaults, forced to yield. At the head of the third, the king himself marched to besiege Meulan, in the Isle of France, situated on the Seine, not far from Paris, a place naturally strong, and surrounded by that great river. Yet by the new invented floating towers, the resolution of king Henry, and the invincible patience of his soldiers, the town capitulated November the 30th. In the mean time the earls Marthal and Huntingdon, Sir John Green Cornwall, and Sir Philip Leach, were ordered into the county of Maine, where they bravely encountered a strong body of French troops sent by the dauphin, and defeated them with the slaughter of five thousand, and the captivity of six hundred prisoners, with the marthal de Rous, other noblemen, and many standards.

Thus the glory of the English arms, and the miseries of France daily increased; it being torn in pieces by foreign power and domestic factions. For though the latter seemed to have been allayed, yet still there was a secret and irreconcilable hatred between the dauphin and the duke of Burgundy; and the former was so much prevailed upon by the persuasions of those about him, that he believed the miseries of France could not be ended but by the duke's death. In order to effect this treacherous design, the dauphin being at Montereau, a town in Brie, sent for the duke from Troyes, under pretence of concerting measures with him about their further alliance, and employing their united powers against the common enemy, the English. The duke at first made several excuses, having innumerable suspicions respecting the sincerity of the dauphin; but hurried on by his own fate, and former guilt, he repaired to Montereau with some noblemen, five hundred horse, and two hundred archers; at the entrance of which place the dauphin had fixed three barricadoes, and himself stood in arms beyond the third to receive the duke, with only ten followers. The duke approaching his presence, kneeled down upon one knee and saluted him with all the respect due to his quality; but the other neglected all ceremonies, immediately charged him with a breach of fidelity, and non-performance of many promises, and after a few words proceeded so far as to call him traitor. The duke putting his hand behind him to adjust his sword that had been altered by his kneeling, Robert de Loire designedly cried out, "What are you drawing upon your prince?" At which, an old servant of the murdered duke of Orleans struck him on the face with a battle-axe, and cut off his chin; and others with many wounds put a period to his existence before he could draw his sword in his own defence. Thus fell the great duke of Burgundy, who as he had twelve years before caused the duke of Orleans to be assassinated in the streets of Paris, so by the requital of the Divine justice, his own life was abandoned to vile

treachery. And it is highly remarkable, that as he was exorbitant in his lusts, both as to ambition and women, so one of his mistresses, Madame Giac, was the principal person that betrayed him to his ruin. However, this manifest murder was justly resented by a great part of the kingdom of France; but so far by queen Isabel, mother to the dauphin, that she did not only excite Philip, who was the new duke of Burgundy, to revenge his father's death, but also urged her husband to disinherit the dauphin, and give his daughter Katharine in marriage to king Henry, now in the heart of France. As these great personages expressed such passionate resentment on account of the duke's death, so his son Philip, with as much heat, and more efficacy, pursued the vengeance of his father's blood, and swore he would never lay down his arms, nor make peace or truce till he had extirpated all his murderers. In order to effect his purpose, he sent the bishop of Arras, with other ambassadors, to king Henry at Rouen, to mediate a peace; and again sent the same bishop with such proposals to the king, that he thought fit to send the bishop of Rochester, the earls of Warwick and Gascony to Arras, who were very acceptable to the young duke: so that between Rouen and Arras emissaries continually passed till a truce was concluded; which, notwithstanding all the offers and obstructions of the dauphin, was proclaimed to continue from about the feast of Epiphany until the middle of March ensuing, between king Henry, king Charles, and Philip, duke of Burgundy. Affairs having thus far succeeded with king Henry, he wrote to the new pope, soliciting his holiness's consent to admit him his most Christian son of France, and to give his benediction for the confirmation of the marriage and amity, designed between these two princes. King Henry's right to the crown of France was alledged, and the miseries of that kingdom displayed; but the dauphin's interest was so great with the pope, that he refused to confirm any thing to the prejudice of his title.

The negotiation, however, still went forwards, and the place agreed on for confirmation of the articles was Troyes in Champagne, where king Charles and his queen then resided; and to which place the duke of Burgundy, the earls of Warwick and Kyme, and the lord Ross and others, attended with five hundred horse, were sent ambassadors from king Henry. These arriving at Troyes, were honourably received, and amicably resolved on a final peace, and there the princess Katharine was attended as the English queen, and particular persons left to guard her by king Henry's command. His ambassador being returned, and his affection inflamed, himself, attended by his brothers the dukes of Clarence and Gloucester, the duke of Exeter, the earls of Warwick, Huntingdon, and Salisbury, and many of the nobility, with a guard of sixteen hundred men, departed from Rouen to Ponthois, to St. Denis, and so into Champagne, where he was met near Troyes by the duke of Burgundy, and many other French noblemen; and with the most magnificent attendance conducted into the town. King Henry immediately after his arrival made a visit to the French king, the queen, and the princess Katharine; to the latter of whom he made his addresses, and presented her with a ring of inestimable value. There were afterwards many assemblies of the king's council fully to conclude the peace and the alliance; and king Henry having altered what he disliked in the treaty, which before had been drawn up in writing, it was at last entirely completed on the 21st of May, 1420<sup>+</sup>.

After

\* The articles of this treaty were large and numerous, and very much to the advantage and honour of king Henry. By these it was agreed, "That the said king Henry should marry the princess Katharine, and allow her the usual dowry of the queens of England, forty thousand crowns *per annum*: that after the death of king Charles, who was to hold his present possession during life, the crown of France, with all the rights and dominions appertaining to it, should devolve upon king Henry and his heirs for ever. But because king Charles was

indisposed, the whole power and exercise of the government of France should immediately be transferred to king Henry as regent of that kingdom, to govern in conjunction with the council of the estates of the realm, according to the known laws and usages of it. To make which the more easy to king Henry, all the nobility, both spiritual and temporal, and all corporations and communities should be obliged to take particular oaths of fidelity to king Henry, both as to his present administration and future inheritance. Then to preserve an



After having settled the articles, the princess Katharine was betrothed to king Henry in St. Peter's church at Troyes. The king was attended with forty English nobles and gentlemen, and the dukes of Clarence with her train of ladies; and the queen of France and the princess were attended by the duke of Burgundy, and forty of his council. King Henry and the queen of France met in the midst of the church, and went together up to the high altar, where the articles of peace being openly read, were sealed with the seals of both the kings, and a solemn oath taken to observe them; and the king and princess joining their hands, were contracted. Then the duke of Burgundy made oath to obey king Henry as regent of France during the present king's life; and after his decease he would become his liege subject. On the other side, king Henry promised that he would deliver to the duke all the murderers of his father, who should fall into his power. The peace was proclaimed first in the French tongue, and then in the English; and the articles of it published at Paris, and all the principal cities of France. King Henry also in a letter to his brother the duke of Bedford, gave him an account of the conclusion of this great treaty, ordering him to proclaim the peace throughout England, and instructing him about altering his title in his seals and proclamations during the French king's life, which was now to run thus: "Henry, by the grace of God, king of England, heir and regent of the realm of France, and lord of Ireland." On the 30th of May the nuptials were solemnized between king Henry and the princess Katharine, with extraordinary pomp and magnificence, and graced with the presence of the duke of Burgundy, the prince of Orange, the count de Luxemburgh, and the principal nobility of Burgundy and France.

King Henry being now proclaimed regent of France, all the nobility that were at Troyes readily swore fidelity to him: for the fame of his heroic actions in war, when his person was unknown to them, had acquired him an universal esteem, and they knew not which most to admire, his courage, his conduct, or his success; but now his presence procured a greater veneration. They knew him to be prudent in counsels, experienced in war, undaunted in danger, and generally prosperous in his undertakings; and therefore persuaded themselves that their country would be happy under the influences of his government. Their good opinion of him was confirmed, when they heard him in a full assembly thus express the moderation and temper of his soul: "My noble lords, I do assure you, it is, and shall be, my perpetual concern, how by all my councils and actions I may make both these nations, now by the favour of Heaven so fortunately united, a great and flourishing kingdom; and as it is at present the most glorious in Europe, so all animosities and factions extinguished, it may continue happy as well as great to all future successions. To accomplish this noble design, it is necessary that we all endeavour to suppress the flames of those civil dissensions, which are alone kept alive by that person whom you have justly deprived of the honour of being dauphin of France. That our country, therefore, may flourish in peace and undisturbed greatness, we must use our utmost power to reduce him to that obedience he owes to his father and his sovereign, and to oblige him to submit to that government which has been established by an assembly of the states of the

kingdom; which if not effected, France will not only be exposed to present calamities, but the fears of greater, from the government of one who has already shewn such marks of tyranny." After which he proceeded to declare his high esteem for the French nation, and urged them all to an union of hearts and affections, as well as nations, with such an obliging gracefulness and greatness, that they all departed with the utmost reliance and satisfaction.

King Henry had now in a great measure arrived at the height of his ambition, obtaining not only an amiable queen, but also the sovereignty over a new kingdom; yet still the dauphin and his followers vigorously opposed him, and resolved never to desist until they had brought him to their own terms. They first sought how to preserve themselves in so imminent a danger; they were sensible, that to sit still would increase the success of the English, and to rise without sufficient strength, would plunge themselves into further misfortunes. In this distraction that voice was best heard that spoke most for the safety of the dauphin, whose breath alone gave life to the after-hopes of France, and for the fortifying those places which might be of most offence to the enemy. This then was agreed in a council of war, that the dauphin should at no time hazard his person in the field, and that levies of soldiers should be made, to be garrisoned in convenient places, and leave the rest to time and opportunity; in which resolution every man took to his charge, with a view to oppose the actions of king Henry. As these consulted for the state of the French, so at the same time, 1420, in Paris, a parliament of the three estates was assembled, in which such as were guilty of the duke of Burgundy's death were sentenced, the disinheriting of the dauphin confirmed, and forces prepared against those towns that held out for him.

In the mean time the two kings, with their queens, and the dukes of Clarence and Burgundy, marched against Sens, a town in Burgundy; which, after twelve days' siege, surrendered upon composition of life, those only excepted that were guilty of the duke of Burgundy's death. Montereau was the next place which was entered by force, where the body of the duke of Burgundy, indecently buried by the Dauphinois, was taken up, and, by his son Philip, sent in great pomp to Dijon, the capital of his dukedom, and there honourably interred. The town being taken, the castle held out, under the government of lord De Guitry, to whom were sent some French prisoners under a guard to persuade him to surrender, which they did in the most humiliating manner; but his obstinacy and ill usage of the herald sent to summon him to surrender, occasioned the hanging up of those prisoners, as rebels to the French king their natural sovereign: the besieged held out eight days longer, and then surrendered the castle on condition of having life, liberty, and goods secured; but all those who were concerned in the duke of Burgundy's murder, were excepted. After this the king undertook the siege of Melun\*, of which the lord De Barbason, and Pierre de Bourbon, were governors, the former an admirable commander, and the latter a prince of the blood, whose garrison consisted of seven hundred Dauphinois. These made so stout a defence, that the besiegers could not make their approaches without great difficulty and danger; but having made a breach by the

entire peace and concord between England and France, whenever king Henry, or any of his heirs, should come to wear the crown of France, the two kingdoms should ever be united under one king, viz. under king Henry during his life, and after his decease under his heirs in a continued succession, and not, at the same time, be governed by two kings; and yet the rights, liberties, and laws of each kingdom, should be kept distinct and inviolable, without subjecting one to the other: the better to establish which, all hatred, animosities, divisions, and wars, should cease between the two nations, and the people be mutually united in affections, councils, and defence against all enemies. But because the dauphin and his adhe-

rents still opposed the common peace of both kingdoms, king Henry should make use of all the power of his arms to reduce all territories, cities, towns, castles, and persons joining with him; and never enter into any treaty of peace with him, without the consent of king Charles, the duke of Burgundy, and the three estates of England and France.

\* This town was a remarkably strong place at the time when Henry laid siege to it. It is a very ancient place, and is the capital of the district of Hurepoix in the Isle of France. It is seated on the river Seine, at the distance of ten miles from Fontainebleau, and twenty-five from Paris.



means of their cannon, the English and Burgundians entered a strong out-work, and built a bridge of boats over the river Seine, so that from either quarter, they had communication with each other without impediment. Both king Henry and the duke of Burgundy fortified their camps after an extraordinary manner; and in this posture the siege continued eighteen weeks, in which time the soldiers of the garrison made some, though not frequent, sallies. King Henry, impatient of delays, pressed forward the siege to the utmost, and made a large mine underneath the walls, which being perceived, the besieged countermined against him; where the king, with great resolution, entering first into the mine, and Barbaſon likewise his within the town, met each other with their drawn swords, and nobly performed the parts of private combatants. Until at length they resolved to discover themselves, and first Barbaſon made known his name, then king Henry did his; whereupon the French lord suddenly retiring, caused the barricadoes to be closed, and king Henry returned safe to his camp. During this siege, king Henry often went to Corbeil, where the court then was, which now consisted of French and English. Here he persuaded the king of France to repair with him to the camp, that his presence before the walls might influence his rebellious subjects to return to their duty. But when they were summoned to yield to their natural sovereign, they resolutely answered, "That they would joyfully open their gates to their monarch, that they would never obey the English king, the ancient mortal enemy of the kingdom of France." Though neither the presence nor authority of the French king could avail, yet he still continued in the camp, to which the beautiful queen of England likewise came with a noble train of ladies, for whose entertainment a good house was built at such a distance as secured them from all danger: to entertain them with martial music, eight or ten trumpets were sounded every morning, and had the state and magnificence of a court amidst all the noise and disorders of war; and yet with uninterrupted diligence he employed himself in all the business of the siege. As there was a strong party of Scots in the garrison, the young king of Scotland, now in the army with king Henry, sent to require them upon their allegiance, that they should not employ their arms against troops where he was in person, but fight under the standard of their king. To whom they returned this answer, "That they would not own or obey him as their king, who was in the power of another;" for which affront, twenty of them were afterwards executed. About the same time mandatory letters were sent by king Charles into Picardy, to put all places that held for him in those parts into king Henry's possession, and to take the oath of obedience to him, as the only true heir, successor, regent, and governor of France, the execution of which was committed to the care of several of the French nobility.

The distress of Melun was now become exceedingly great, as well upon the besiegers as the besieged; the one afflicted and extremely weakened with mortality, and the other violently oppressed with famine, and other calamities, incident to long sieges. After eighteen weeks' siege, the English were supplied with reinforcements out of Picardy, the sight of which at first put the town in hopes of relief from the dauphin; but the garrison finding themselves unhappily disappointed, capitulated in despair, and were forced to surrender upon very hard terms; one of which was, that they should all be made prisoners of war, and that all the English and Scots should be left to the absolute disposal of the king of England; and that all accessaries to the duke of Burgundy's murder should suffer death. The articles being concluded, an English garrison was put into Melun: the men at arms who adhered to the dauphin's party, of whom the principal were Pierre de Bourbon, and the lord de Barbaſon, with five or six hundred persons of quality of both sexes, and the greatest part of the chief citizens, were conveyed under a strong guard to Paris, and there committed prisoners to the Châtelet, the

Bastile, and other places. Two monks, who were convicted of engaging in Burgundy's murder, were beheaded in the city, as was Bertrand de Chaumont, a gentleman of king Henry's household. The latter had renounced the interest of France, and devoted himself to the service of the king of England, and was highly in his favour, as a man of approved valour. But clear evidence being brought against him, that, during the treaty for surrendering the town, he had favoured the escape of one Aimerion de Law, a suspected accomplice in the duke's murder, for a sum of money; the king, though the dukes of Clarence and Burgundy interceded for the life of so valiant a person, would not pardon him, but gave orders for his execution, declaring, he would have no traitors in his army. Yet to shew his value for his abilities, he was heard to say, he would have given fifty thousand nobles that Chaumont had not been guilty of such a crime. Barbaſon was accused by the duke of Burgundy as an accomplice in his father's murder; but he, in an open trial, defended himself, protesting, "That though he was a servant to the dauphin, he was so far from consenting to the fact, that he knew nothing of it until it was effected." Though the evidence against him was not clear, yet there was so strong a suspicion as not to admit of his being set at liberty; so that he continued a prisoner nine years. Some writers inform us, that he saved his life, by pleading it would be a dishonour for king Henry to put a person to death, who was his brother in arms, and who had signalled himself in a single combat with him; which, by the heralds, was allowed to be the same thing as if he had fought with him in appointed lists.

Melun thus taken, and the government given to the earl of Huntingdon, the two kings, with the duke of Burgundy, made a public entry into Paris, being met by the citizens, who, in great solemnity, came out to congratulate their arrival. The streets were spread, and the houses hung with rich cloth, while the people, in all parts, expressed their extraordinary joy in the highest acclamations. The two kings rode together under a rich canopy, Henry on the left hand, next to whom followed the dukes of Clarence and Bedford, and on the other side of the way, the duke of Burgundy in deep mourning; the princes and nobility, in each nation, followed in order, the clergy with processions, and their venerable relics, going before them to Notre Dame cathedral. Rich presents, flags, streamers, and conduits running with wine, were all used by the citizens to express how grateful the peace was to them, and how much they exulted in the honour of having two kings resident among them. King Henry's palace was prepared in the Louvre; and king Charles's court in the Hotel de St. Pol; for, as some author observes, young Henry commanded all, and his brother exercised supreme authority, while old Charles stood as a cypher, and the French nobility had nothing to do. As king Henry had the disposal of all places of honour and trust, so the French nobility and gentry addressed themselves to him, and endeavoured to raise their fortunes by obtaining an interest in his favour. He made a great alteration among the officers, discarding many who had been put in by the old duke of Burgundy or his son, and conferring their employments on others whom he accounted more firm to his interest. As regent of France, he also redressed grievances, reformed abuses, and corrected all miscarriages in the government, and he caused a new coin to be stamped, to express the union of the two kingdoms, on the reverse of which, the arms of England and France were quartered together.

The better to establish affairs of state, during king Henry's stay at Paris, a grand parliament was summoned to meet at that city; in which was the final agreement between the two kings openly acknowledged by king Charles, as made by his assent, and with the advice of all the council of France; whereupon it was there also ratified by the states general of the kingdom, and sworn to by all the nobility and magistrates, spiritual and temporal, who also set their seals to the instruments of

the



the agreement, which were sent into England to be preserved in the king's exchequer at Westminster. But in this parliament the murder of the duke of Burgundy was in a more special and particular manner examined, and the actors, with all their accomplices, were solemnly sentenced; and methods were used to oblige them likewise to build churches, and perform several public acts of charity, in order to expiate that execrable fact. The assembly even proceeded so far as to summon the dauphin himself before the grand marble table, with all the usual formalities. Upon his non-appearance, he was publicly attainted and convicted of murder, was declared unworthy of all succession, namely, of that to the crown of France, and was banished the kingdom for ever. From this sentence, as given by incompetent judges, and contrary to the laws of the kingdom, the dauphin appealed to God and his sword, and immediately transferred the parliament and university to the city of Poitiers, at which place the most illustrious members of those two bodies did not fail to appear. Thus almost every thing was double in the kingdom of France; there were two kings, two regents, two parliaments, two constables, two chancellors, two admirals, and so of most of the great officers, not to mention the multitude of marshals of France, whereof each party made as many as they thought fit.

King Henry having established the grand affairs of France, as well as these unsettled times would permit, resolved for a while to return to England, and there perform the solemnities of his queen's coronation; in order to which, he first appointed for his lieutenant of France, his brother the duke of Clarence, and also left the duke of Exeter with five hundred men at arms to continue in the city of Paris; and then, attended with great magnificence, he repaired to Amiens, from which place he went to Calais. But before he took shipping, he adjusted several affairs in Normandy and other parts, treated with the duke of Bretagne, and generously discharged the count De Richemont, who had been prisoner ever since the battle at Agincourt. But for the duke of Bourbon, who was discharged afterwards, he agreed for a ransom of no less than an hundred thousand crowns, besides other advantages. From Calais the king crossed the seas to Dover, and made a triumphant entry to London, the people receiving him with great cordiality and friendship, as well on account of his safe return, as by reason of the accession of another kingdom to his own.

King Henry was now in the height of his grandeur; and on his return into England, he found the nation flourishing and prosperous under the government of Humphrey, duke of Gloucester, his brother, who had succeeded the duke of Bedford in the regency. The arms of the king had not only been successful in France, but also in Ireland, ever since his accession to the crown; so that he found no disaster to becloud his joy in the possession of his consort, or to disturb the pomp which was preparing for her coronation. The day appointed for this great solemnity was the 24th of February, 1421, where, after the ceremonies of the coronation in Westminster Abbey, the queen, with her retinue, went to the hall, where a splendid entertainment was provided for the nobles, bishops, ladies, mayor, and aldermen of London. On the right hand, and end of the queen's table, were seated the archbishop of Canterbury, and the cardinal bishop of Winchester; on the left, the king of Scotland in his robes, with the dukes of York, and counts of Huntingdon. The earl of Marche holding the royal sceptre in his hand, kneeling on the right hand of the queen, and the earl

marshal in the like manner on the left; the counts of Kent sat at her right foot, and the counts marshal at her left; while the duke of Gloucester, as overseer stood before her majesty bare-headed. The rest of the splendid train had their several and distinct tables in the hall; and the whole feast, though in the time of Lent and furnished all with fish, was great and pompous to the utmost degree. After the solemnities of the coronation, the king, with the queen, and some of the nobility, took a journey to York, where they were well received, and the citizens made them many rich presents. The queen continued at York, but the king went in pilgrimage to Bridlington\*, where having paid his devotions, he afterwards visited a great part of his kingdom: and in all places his ears were open to the complaints of the injured and oppressed; he redressed their wrongs, punished the corrupters of justice, and reformed the abuses in government. Particularly a great abuse in the church, arising from the pope's disposal of the vacant bishoprics and benefices was this year removed; and with that vigour and resolution, that he gave such a blow to the usurping power of Rome in this kingdom, as greatly weakened, and at last entirely destroyed it.

In May the king met his parliament at Westminster, and represented to them the state of the public affairs, the conquests he had made in France, and the supplies necessary to continue the war, in order to annex the whole of that kingdom to the English crown. The commons cheerfully gave a fifteenth, though a petition was presented, filled with the sad complaints of the poverty of the people, and intolerable burden of war. At the same time there was a convocation of the clergy at St. Paul's, who offered a tenth to the king, and the rich bishop of Winchester in advance of the money lent him twenty thousand pounds. At the same time the king wisely took care to secure his kingdom from any invasion of the Welsh or Scots during his absence. He composed the tumults in Wales, and reduced that people to their duty; and to make the Scots his friends, he gave liberty to their king to return to his country and throne, ten years after his being first taken by king Henry IV. and detained in the English court. But he did not return until a few years after in the next reign. He also established a peace with him, strengthened with an alliance, by giving him in marriage the lady Anne, his niece, and daughter of the duke of Clarence. It was agreed that her dowry should pay part of his ransom; that for the payment of the rest he should give hostages, and likewise engage himself never to make war upon England. Having taken all necessary precautions, king Henry, with a choice army of four thousand men at arms, and twenty-four thousand archers, returned into France to prosecute the war.

The king now found his presence highly necessary, for before he took shipping, he was surprised with the news of the unfortunate miscarriage of the duke of Clarence, of which this was the occasion: the earl of Buchan, the earl of Douglas, and other commanders, with seven thousand Scots, had entered France to assist the dauphin; and joining his party in Anjou, designed to surprise the duke of Clarence unawares: in which enterprize, four straggling Scots, taken and brought prisoners to him as he sat at dinner, discovered the design and strength of the enemy, whose approach was very near. Hereupon the duke suddenly took horse, crying, "They are all ours!" leaving his troops to follow him with the utmost expedition. His unexpected appearance caused some of the Scots to lose their safety in the church of Baugy, where while they

\* Likewise called Burlington. It is a good market town of the East Riding of Yorkshire. It is also a sea-port town, being seated on a creek of the sea, having a good and safe harbour, which is much frequented by vessels employed in the coal trade. The inhabitants carry on a pretty good trade.

On account of the safety with which ships might lie in its harbour, the bay was called, by the ancient navigators, *S. S. Salutaris*. It has the title of an earldom, and is forty miles N. N. E. of York, and two hundred and eight North of London.



were defending themselves, the rest of their forces took the alarm, and the earl of Buchan secured the main bridge, to whose assistance came Hugh Kennedy with an hundred horse. The duke of Clarence perceiving it was not possible to force his passage with his slender troop of horse, dismounted with his troop, and made a noble charge upon the earl of Buchan; and the English, fired with disdain to meet with their old enemies, fought with the greatest fierceness imaginable. But none was more brave and daring than the duke himself, who being distinguished by his rich armour, and a golden coronet sparkling with jewels, but more remarkable for his valour, was singled out by John Swinton, a Scotch cavalier, who, with his lance, wounded him on the face. The duke, however, rushed with undaunted intrepidity into the thickest of the enemy's forces, where the earl of Buchan struck him, with a truncheon, such a violent blow, that he brought him to the ground; which blow put a period to his existence. The English, disheartened at the fall of so great a general, and being furiously attacked by the whole army, were soon routed, with the loss of fifteen hundred men, after they had slain upwards of a thousand of the enemy. The deaths of the lord Ross and Gray, and Sir Gilbert Umfréville, and the captivity of the earls of Huntingdon, Somerset, and Perche, the lord Fitz Walter and Sir William Bower, caused a general concern in the English army; yet the duke of Clarence had the greatest share in their sorrow, who, as he was generally beloved for his wisdom, valour, and other excellent qualities, his death was universally lamented, not only by the English, but also by the enemy themselves. His body remained a few hours in their hands, who were carrying it to the dauphin; but they did not long keep either that or the field of battle; for though the body of the army, which, under the earl of Salisbury, had followed the duke, could neither keep pace with his swift march, nor advance time enough to prevent his fate and the loss of so many gallant soldiers; yet they came up soon enough to force the French to a disorderly retreat, and to recover the dead body of the duke, which was conveyed into England, where it was interred with great solemnity. The earl of Buchan, for his valour, was by the dauphin made constable of France.

King Henry, enraged at the loss of a brother he justly esteemed, hastened his expedition into France: and leaving his brother John, duke of Bedford, his lieutenant, and his queen, honourably attended, upon the 10th of June he landed at Calais with all his forces, making, at this time, his last entrance into France. On the day after his arrival, he dispatched the earl of Dorset and lord Clifford with twelve hundred horse and foot into Paris, to the relief of the duke of Exeter, who was harassed by the Dauphinois, who had taken Boneval, Glandon, and some other forts, and after that marched to Chartiers, and invested it with seven thousand men at arms, four thousand cross bow-men, and six thousand archers. King Henry, after a short continuance in Calais, marched to Monstrelet, and there quartering his army, he found the duke of Burgundy somewhat impaired in his health. Three days being spent in conference, the king marched into Ponthieu, and the duke to Abbeville upon Somme, to facilitate his passage there to be made, of which they had some doubt, by reason of the dissatisfaction of many of the inhabitants. Henry in his march took the fort called La Ferte, commanded by the bastard of Belluy, which surrendered upon summons; but being committed to the custody of Borsters of Picardy, was again betrayed into the hands of the dauphin. From hence the king passed the river at Abbeville, where he was splendidly entertained and presented with many rich gifts; from whence he marched to Beauvois, Gisors, and Bais-de-Vincennes, where king Charles and his queen resided, and received him with great honour, and, lastly, to the city of Paris, where he was graciously received and magnificently entertained.

But this hero, more regarding laurels and conquests, than the delicate pleasures of a court, after he had concerted measures, and levied fresh forces with a view to

add them to the English, marched towards Meaux, resolving, in revenge of his brother's death, to engage the dauphin, who had now laid before Chartiers the space of three weeks. But hearing of king Henry's approach, he, at the head of a formidable army, broke up the siege and retired; upon which the king marched directly to Dreux, and sat down before that place. The inhabitants and garrison, apprehensive of their danger, beat a parley, and agreed to surrender the town, if the dauphin did not relieve them by a certain day; which being expired, the town was delivered, and eight hundred of the dauphin's party were permitted to retire upon their oaths not to bear arms against king Henry for the space of one year. While king Henry lay before this place, Mezeray tells us, that an honest hermit, unknown to him, represented to him, the great evils he brought upon Christendom by his unjust ambition and usurpation of the kingdom of France, against the known right and the will of Heaven; wherefore, in the name of God, he threatened him with a severe and sudden punishment, if he did not desist. The king took this exhortation either for a visionary fancy, or a suggestion of the dauphin's, therefore prosecuted his designs with greater vigour, and pursuing the flying dauphin, he took Baugency and Vendôme upon the Loire, with other forts, but could not encounter that prince who so industriously avoided battle. And though he had the greater army, and had engaged himself by his heralds, to meet the king of England in the field, confirming it also with an oath, he, contenting himself with wasting the country, drew off to Bourges, as to a place of safe retreat, both for the strength of the place, and the fidelity of the people: and for his constant residence there, he was, by way of jeer, called the king of Bourges. King Henry finding it in vain to attack him in that advantageous post, first ravaged the country, and then resolved to besiege Meaux, the capital city of the county of Brie, a place of great strength and consequence. Having provided engines, and all other necessities, he sent his uncle the duke of Exeter with four thousand men, to possess himself of the suburbs, to prevent the garrison from firing them; and then following with an army of twenty thousand men, on October the 6th, he invested the place, inclosed his camp with an intrenchment, and raised his batteries against the walls and gates. The governor of the city was the bastard de Varus, who had with him many other officers, and a thousand select soldiers, besides the inhabitants, who were also resolute to defend the place to the last extremity. And, indeed, they bravely held out for seven months, while great numbers of the English and Burgundians died, either by sickness, sallies, or assaults from the walls.

During this tedious winter siege, the king heard that the queen was delivered of a young prince at Windsor on St. Nicholas's day, to whom he gave the name of Henry sur les Fous. It is commonly related, that when he heard his son was born in Windsor Castle, he raised a bad omen from that place, as foreboding some unhappy fate; and, as Hall says, spake these prophetic words to lord Fitz-Hugh, his chamberlain: "I, Henry, born at Monmouth, shall a small time reign, and gain much; and Henry, born at Windsor, shall reign long, and lose all; but God's will be done." Among those to whom the care of this royal infant was committed, Jaqueline de Baureri, dutchess of Brabant, had the principal employment. At the same time the duke of Richemont, whom king Henry had released without ransom, came at the head of a numerous body of horse to the camp before Meaux, to save him in the siege, which was still prosecuted with vigour; though upon notice, that some of the dauphin's troops had surprized Avranches, and killed and taken between two and three hundred of the garrison, the king ordered a strong detachment to march to the assistance of the earl of Salisbury, governor of Normandy, who, with those recruits, soon recovered the town. About that time, Jacques de Harcourt, in the service of the dauphin, with seven hundred soldiers, harassed the parts about Vimen, against



against whom some English garrisons assembled, slew three hundred of his men, himself hardly escaping by the fleetness of his horse. Oliver de Manny\* likewise invaded Constantin, notwithstanding he had solemnly sworn at the surrender of Falaise, never to bear arms against king Henry; but in the midst of his career he was defeated, and taken prisoner by the earl of Suffolk.

King Henry's forces being diminished by these commotions in Normandy, and his thoughts much employed that way, De Offemont, whom the garrison of Meaux earnestly desired should be their governor, found an opportunity to approach the walls with forty select soldiers, in order to enter the town; but ready to be received by ladders over the walls in the night, the centinels discovered the men, and he himself not being able to recover the ladders, fell into the ditch, where being also unable to free himself from his heavy armour, he was wounded, and then taken prisoner, with most of his followers. King Henry esteemed the taking of so valiant a commander as a prize of great importance, and pushed forward the siege with fresh vigour and resolution. At length the defendants, hopeless of relief, and finding themselves unable to hold out, carried all their goods from the town into the castle; but the besiegers discovering their actions, and fearing the loss of booty, made a sudden and furious attack, and by force made way into the town with sword in hand. There Henry brought his guns to bear on the castle, and shortly after reduced it to that extremity, that besides want of bread, most of their hand weapons were broken, and the men dangerously wounded; yet they did not desist from provoking the English with opprobrious words and vile indignities, which caused harder conditions to be laid upon them, than in any other town taken during the war: by which the whole garrison and the inhabitants were to be prisoners at the king's pleasure, only having their lives saved; but the governor De Varus, and some other men of note, were to be delivered up to immediate execution. The city thus surrendered, king Henry immediately sent eight hundred select men prisoners to Paris, Rouen, and England. The governor was beheaded, and his body hung upon a tree before the town, called by his own name, because he had formerly hanged on it many English and Burgundians, and his head was fixed upon a pole at the top of the same tree. This was followed by the execution of several other persons of rank in Paris, who had given more than common provocation during the time of the siege; and all the riches of the city was distributed by king Henry to his commanders, and those who were found to be most deserving of them. Orders being taken for the repairing of the breaches, and the city being well garrisoned, Crespy, the castle of Pierrepont, Merlau, Offemont, and several other places submitted to the king's arms; while others were set on fire to hinder him of the fruits of his conquest. When the governors of places in the marches of Beauvais heard that king Henry's courage could not be withstood, seeing he had taken the towns and forts which they thought impregnable, they had such an apprehension of his might, that they sent deputies to treat about surrendering at an appointed time, if the dauphin did not give them due assistance.

Queen Katharine in England daily hearing of the king's success, greatly desired the sight of his person, and for that end prepared for a voyage to France, under the conduct of duke John, the king's brother, then regent of England, who, for the time of his absence, deputed his brother Humphrey duke of Gloucester, and took shipping at Southampton. The winds being prosperous, on the 21st of May, 1422, she landed at Harfleur, and, with increasing trains of nobility, by easy

journies, advanced to Rouen, and from thence to Bois-de-Vincennes, where her royal husband, with her father and mother, came in great pomp to meet her, with the utmost demonstrations of joy. From thence they repaired to the city of Paris; and, at the celebration of the festival of Pentecost, a magnificent feast was prepared in the great hall of the Louvre, where, at one table, the king and queen of England sat with their crowns and robes, and at the other, many of the French and English nobility and gentry. The French court at the Hotel de St. Pol, was, at the same time, very thin; and king Charles had the mortification to find that he was neglected and abandoned by those who were born his subjects, who now adored their young rising sovereign.—The former had the title of king of France, while the latter held the reins of government. This made many of the French uneasy; but the English king was manifestly too great to be opposed. Here he made a bold effort of his power, in causing the tax raised on the mark of silver for minting his new money to be collected at Paris, as if it had been in other places; and though the people became discontented and murmured, yet they were so awed, that they durst not break out in any tumult. But their resentments were abated, or rather turned into affection, when they felt the kind influence of king Henry's just and moderate government, and observed his exact administration of justice in redressing grievances, and punishing the actors without partiality or favour. By this just conduct he gained the love of the common people, who regarded him not as their conqueror, but as their father and protector.

Though the princes of Champagne, Picardy, Brie, Normandy, and the Isle of France, were in king Henry's possession, yet all were not reduced to a quiet obedience; for a great and strong part still held out for the dauphin, who, with twenty thousand effective men, besieged La Charitie upon the Loire, and took it; from whence he marched to Cone upon the same river, where the besieged treated about a surrender, and gave hostage to deliver it up on the 16th of August, if they were not relieved before that time by the duke of Burgundy. The prince and duke, by consent, agreed to put the cause to the decision of a battle, to be fought on the said 16th of August; and this was mutually declared by their heralds. The duke not only sent orders to levy new forces to augment his army, but likewise begged Henry's particular assistance; to which the king gave answer, that he himself would come at the head of his whole army to join with him in the battle. But as this mighty conqueror prepared for his march, he was struck with a distemper which soon put a period to his existence; and all he could do was to command the duke of Bedford and earl of Warwick to give all necessary assistance to the duke of Burgundy. Though he was much weakened by his disease, he was yet animated by a courage natural to him; so that taking his last leave of king Charles and the two queens at Senlis, he repaired to Melun, with a design to go from that city, and put himself at the head of the army. But his distemper increasing, and his body being too feeble to answer the greatness of his mind; though he went in a litter, to be carried among his troops, yet, finding himself extremely ill, he was obliged to return to Bois-de-Vincennes, where he lay while the duke of Bedford, by his order, marched with the whole army to join the duke of Burgundy at Vezlay.

The duke of Burgundy gratefully acknowledged the king of England's kindness, and joining all the forces he took his march to Cone, which was besieged by the dauphin, and encamped near the town, preparing for that important battle which was to be fought the next

\* This perfidious man, being brought before king Henry, he addressed himself in the following manner to him: "You are an ancient knight, and ought to have observed your faith and honour, which you have basely broken, and, by the law of

arms, deserve immediate death: but we give you your ignominious life, and shall only send you into England, there to learn the language, and truer maxims of honour."



day. The French prince finding his enemies to exceed him in number and strength, notwithstanding he had made a public defiance by his heralds, immediately broke up the siege, and retreated to Bourges and Berry. The duke having thus raised the siege, and forced his enemies to a most dishonourable retreat without fighting, returned to Troyes with his army. In their march the duke of Bedford received the mournful news, that his brother king Henry's life was in danger; upon which he left his army, and, attended with a few choice friends, rode full speed to de Vincennes. The brave king, sensible that he was dying, gave orders that the duke of Bedford, the duke of Exeter, the earl of Warwick, Sir Lewis Robessart, and seven or eight more, who had the greatest place in his affection and confidence, should stand around his bed. To whom he spoke to this effect: "I am just now approaching the period of my life, which, though short, has been glorious, and conducing to the good and honour of my people; and, though it has been spent in wars and bloodshed, yet since milder methods have been ineffectual, and nothing less could vindicate my right, the miseries produced are not to be imputed to me, but to my enemies, as the effect of their injustice. As death never appeared formidable in so many battles and sieges, so I can now, without horror, behold its gradual approaches in a disease; and since it is the will of Heaven to put a period to my existence, I cheerfully resign myself to its pleasure. Nor should I leave the world with the least reluctance, if two things did not nearly touch me. One is, that I must go out of it when my subjects are involved in the confusion of a war, before I see the enemy, who opposes the peace and glory of both nations, entirely subdued by my arms; and the other is, that I see myself called from the throne at a time, when my son is only an infant, and incapable of filling it." Therefore, to obviate all future inconveniencies, he, with the most pathetic and endearing expressions, urged them all strictly to observe his advice and instructions. The substance of which was: "That they would take the most exact care in the education of his son, and inviolably preserve their loyalty to him; and that they would comfort his beloved queen, now the most disconsolate princess living: that they would keep strict faith with the duke of Burgundy, and never make peace with the dauphin, on any other condition, than that of having all the dukedom of Normandy entirely secured to the English crown: that they would preserve a strict union among themselves, and not discharge the duke of Orleans, the count d'Eu, and some other noble prisoners, until his son was of years to govern: that his brother the duke of Bedford, with the assistance of the duke of Burgundy, should manage the kingdom of France; and that his uncle the duke of Exeter, with his brother the duke of Gloucester, should govern that of England."

The sorrowful nobles observed, in profound silence, and, with assured promises, gave their approbation to these last counsels so sensibly urged by their expiring monarch; who, having thus established his secular affairs, had his thoughts wholly employed about the condition of his soul now departing into another world: ordering his physicians to come into his presence, he demanded of them how long he had to live; but they declining a direct answer, and flattering him with the hopes of life, the king, with extreme dissatisfaction, charged them, upon their allegiance, to declare their opinion in positive terms. After some little consultation among themselves, one of them, kneeling down, in the name of the rest, said, "Sire, we advise you to think

upon your soul; for, according to our opinion, without a miracle, you cannot live longer than two hours." Upon which, with the highest devotion, he proceeded to confession, commanding his priests to sing the seven penitential psalms; and when in the fifty-first psalm they came to those words, "Build up the walls of Jerusalem," he bade them stop, and raising his voice, he declared, upon the word of a dying man, "That, after the settlement of the kingdom of France, he really intended, with the will of the Supreme Being, to have made war against the Infidels, for the sole purpose of the conquest of Jerusalem." Having finished their devotions, this great king expired at the hour which the physician had foretold, on the 31st of August, 1422, in the thirty-fourth year of his age, after a short, but most magnificent and triumphant reign of nine years, four months, and eleven days.

By the gratitude of this age, his funeral obsequies were proportioned to his worth and grandeur. His body, embalmed and enclosed in lead, was laid on a chariot of state, richly adorned with cloth of gold; and on a bed in the same chariot was laid a lively figure of his person, with imperial robes, a crown of gold, a sceptre and globe, like a triumphant monarch; and over all was a silk canopy. The chariot was drawn by six horses richly harnessed: the first bore the arms of St. George, the second the arms of Normandy, the third those of king Arthur, the fourth those of king Edward, the fifth the arms of France, and the sixth those of England and France. James, king of the Scots, followed it as principal mourner; and after him the duke of Exeter, the earls of Warwick, Marche, Stafford, and Mortaigne; the lords Fitz-Hugh, Hungerford, Bouchier, Stanhope, and Cromwell, Sir Robert Robessart, and Sir John Cornwall. The banners of the saints were borne by the lords Lovel, Audley, Morley, and Zouch; the baron Dudley bore the great standard, and the earl of Longueville the banner. The hatchments were carried by twelve commanders, and around the chariot rode five hundred men at arms all in black armour, their horses barbed black, and their lances held with their points downward. Three hundred cloathed in white, bearing lighted torches, also surrounded the chariot, with lords bearing banners, bannerols, and penons; those of the king's household, cloathed in black, followed it, and after them the royal family in deep mourning while the sorrowful queen, with a noble retinue, followed at a league's distance. In this solemn manner the body was conveyed from Bois-de-Vincennes to Paris, from thence to Rouen, to Abbeville, to Calais, to Dover, from which place it proceeded to the city of London, through which it passed to Westminster, where it was interred with such pompous ceremonies, such mournings of the nobility, prayers of the ecclesiastics, and lamentations of the commons, as were never before observed in England. He was buried in the abbey-church, and his queen caused his image in silver gilt, of the full proportion, to be laid on his tomb\*. These were the last honours done to this mighty monarch, the wonder of all Christendom, who was so highly beloved by his people, that his funeral was attended with an universal sorrow.

As the character of Henry V. is laid before us in a just and impartial manner by Rapin, we shall present our readers with that historian's delineation of it.

"If in order to know the character of the monarch whose reign we have just gone through, a man should keep close, without any further examination, to the commendations given him by the writers of his own nation, he could not help representing him to his mind

\* We have here followed the opinion of various historians, but it is now well known that the statue was only covered over with silver plate gilt, except the head, which was of massy silver. The head, at the suppression of the monasteries in the time of Henry VIII. was stolen from the trunk, so that nothing now remains to be seen but a headless monument. The

following monkish verses were placed upon the tomb:

*Dux Normannorum, verus Conquestor eorum,  
Hic Francorum decessit, & Hecor eorum.*

THAT IS,

Duke of the Normans, their true conqueror,  
Died heir of the Franks, and also their Hector.



as a prince surpassing all the most accomplished that had ever appeared in the world before him. Not one English historian ascribes to him the least defect, but all with one mouth, speak of him as a perfect hero. On the other hand, the French have endeavoured to draw, in his portraiture, certain shadows which tarnish the lustre. It will be necessary, therefore, in order to form a just representation of him, to consider his actions with their circumstances, abstracted from the admiration of some, and the envy of others.

“ In the first place, with respect to the government of his own kingdom, he ought not to be denied his due praise, in that he avoided to tread in the steps of Richard II. and even of his own father, and constantly refrained to encroach on the liberties and privileges of the people. His readiness at all times to give the royal assent to such acts as the parliament judged necessary for the welfare of the kingdom, was a clear evidence of his having the good and happiness of his people at heart. Nevertheless, in this very thing, he was to blame to suffer himself to be carried to so great lengths, as contrary to his own inclination, and the dictates of his reason, to consent to the persecution of the Lollards, merely out of condescension to the clergy. Indeed it was next to impossible, that being endowed with an excellent judgment, he should not be sensible on how slender a foundation the charge against them was built, in the beginning of his reign; and yet rather than publicly retract his opinion, he all along feigned to believe it, just at the very time when he shewed favour to some that were sentenced to death, who had persisted in pleading not guilty of the pretended crime.

“ But it is not chiefly for what he acted in England, that historians have been so lavish of their praises; his warlike exploits are the main subject of his panegyric. And yet it may be said, perhaps, without magnifying matters, that his martial deeds were what he was the least remarkable for, notwithstanding the glorious success that attended his arms. The conquest of France considered in itself, has something grand and marvellous. But the view of the posture of affairs in that kingdom, renders it doubtless not so wonderful, as it appears to be when abstracted from all its circumstances. Lewis VIII. father of St. Lewis, conquered England at a like juncture, and yet no one ever took it in his head to ascribe the conquest solely to his wisdom or valour. Henry formed the project of his enterprize at a time, when the civil dissensions of the French rendered them unable to stand upon their defence. The towns he took from them were defended only by the besieged themselves, without any army ever appearing to relieve them. And yet some of these places took him up several months, and surrendered not till compelled by famine.

“ The battle of Agincourt is then the great and almost only warlike exploit which can justly afford matter for panegyric. In this famous action he gave proofs of an uncommon conduct, resolution, and bravery. But this very battle, the issue whereof was to him so glorious, affords likewise a handle to tax him with imprudence. It may be said, that if he came off conqueror, it was because he had reduced himself to a necessity of vanquishing or dying, to which a general never exposes himself, without causing his conduct to be severely censured. Whatever the event may be, his undertaking to retire to Calais, without weighing beforehand the difficulties of the march, and without being sure of a passage over the Somme; his wilfulness in resolving to pass that river, in order to force his way through an army so superior in number to his own, seem not to be excused but by the success of the battle of Agincourt,

which was a sort of miracle. Had he lost the day, as he should naturally have done, the world would not have failed to charge him with indiscretion or rashness. The necessity he was reduced to during his march, if we may believe the French historians, of offering to restore Harfleur, and repair the damages he had done to France, plainly shew how much he himself was convinced of the false step he had made. This battle, therefore, was more glorious to him on account of his personal valour, than with regard to his capacity in the art of war. It must be confessed, that never did prince expose himself more in a battle, and give more signal proofs of true valour than did Henry in that day's action.

“ As to his other conquests in France, I do not know whether his greatest admirers have reason to wish he had met with more opposition. What might have happened in that case, is beyond human knowledge. It cannot, however, be denied, but that the victory of Agincourt strongly prepossesses us in his favour. But what may be extolled in him, without danger of being deceived, is the excellency of his genius, and the solidity of his judgment. He knew how to manage the great undertaking he had formed, with wonderful prudence and address, wisely taking advantage of the several revolutions which happened in France, and making them all turn to his benefit. Few princes would have known like him, how to hold their hand after so glorious a victory as that of Agincourt, and sit down in quiet, the which, though in appearance not so honourable as the continuation of the war, was in reality to him more advantageous. This piece of policy, in my opinion, is one of the best things he ever did in his life, and the strongest proof of the soundness of his judgment. His negotiations with the dauphin and duke of Burgundy at one and the same time, and his instructions to his ambassadors, are plain indications of his abilities, and how difficult it was to over-reach him.

“ It is no great wonder, that the prosperous issue of his undertakings should gain him extraordinary commendations from his own nation, especially as it cannot be denied, that his success was no less owing to his prudent conduct, than to the favourable junctures he met with. In a word, he forced the French to own him for regent and heir of their kingdom. And this is one of those actions which seldom fail of being praised beyond measure. Accordingly historians have not been satisfied with comparing him to David, Alexander, and Cæsar, but have ranked him far above these great men\*. But without going so far for comparisons, which after all seem not altogether just, I think he might, with more reason, be put in parallel with Edward III. his great-grandfather. However, I should scarce make any scruple to give the preference to Edward. Edward had to deal with all France united against him, and the difficulties he encountered in his conquests were incomparably greater, and required an abler head to surmount them, than did those which opposed the progress of Henry V.

“ What I have been saying of this prince properly relates only to the main business of his life, his war with France. I shall now describe his other qualifications, which, though not so glaring, are no less worthy of admiration, than the glorious success of his arms, which has almost wholly engrossed the attention of the public. It is certain, he had all the endowments of body and mind necessary to the forming of a great man. He was tall and majestic of stature, though a little too slender, and somewhat long-necked. His hair was black, and his eyes of the same colour were exceeding bright and lively. He was strong and robust, very expert in

\* One of our historians in particular, speaking of him, says, “ For his great acts he has been compared to no less than three of the nine worthies of the world; to David the prophet for piety; to Cæsar the invincible for glory; and to Alexander the Great for magnanimity: and with this advantage, that he was not unchaste like David, vain-glorious like Cæsar, nor

intemperate like Alexander; who, while they conquered others, became slaves to their own passions. As he exceeded them in these qualifications, so he was not inferior to them in his fortune, being neither so dejected as David, so much envied as Cæsar, nor so dreaded as Alexander; it being his good fortune never to be distressed, distrusted, or despised.”



bodily exercises, chaste, temperate, at least after he came to the crown, inured to hardships, and patiently bearing hunger and thirst, heat and cold. In all these things he was a standing example to his troops of moderation and constancy. A great lover of justice, he followed it himself, and saw it observed very punctually. Religious without disguise, persevering in piety, and constant in his private as well as public devotions. A great friend of the church and clergy; he won by these qualities, the esteem and affections of the ecclesiastics, who did not a little contribute to set off the lustre of his glory. He was prudent in council, bold in undertaking, and resolute in executing. As to his valour, he gave continual proofs of it throughout the whole course of his life. There is another thing likewise for which he ought to be praised, he caused military discipline to flourish again, which had been almost entirely neglected in England, ever since the reign of Edward III. Never did the English nation shine with such lustre as under this renowned prince. To this we may add, he was so fortunate, as to finish his days in the midst of his prosperity, and not live to see, like Edward III. the fruits of all his labours come to nothing.

"Having related what the English say to this prince's advantage, the faithfulness of an historian requires that I pass not over in silence some imperfections which the French upbraid him with, and which envy and disgust have perhaps caused them to aggravate. In the first place, they tax him with cruelty, and making war in a barbarous manner. They ground their charge not only upon the slaughter of the prisoners of the battle of Agincourt, but also upon his putting to death several officers after the taking of Caen, Melun, and Meaux. But as to the prisoners of Agincourt, there is no dispute but the maxims of war; and the necessity of providing for his own safety, will justify the orders he gave upon that account, granting they were not too hasty. As to his treatment of the burghers and garrisons of the places he became master of, I confess it is not impossible but he might be swayed a little by revenge, on the score of the time these brave men made him lose; but this can only be said by conjecture. That he used severity toward some we know; but the reasons why he did so we cannot say. To discuss such matters of fact, more circumstances are required than are come to our knowledge. However, with regard to those of Meaux, it is certain, they had incurred the guilt of several murders, for which doubtless they deserved to be punished. It was neither unjust nor barbarous to order the bastard of Varus to be hanged on the same tree whereon he himself had caused to be hanged all the adherents of the duke of Burgundy that fell into his hands. For the other three that were executed at the same time, I know not the reason: but it is to be presumed, that they were not pitched upon out of all the rest of the garrison, purely to be instances of the severity of the conquerors. As for the English and Irish which were in the service of the king's enemies, their being excepted in the capitulation, needs no apology. It were to be wished for Henry's reputation, that he could be as easily justified in refusing to give quarter to the Scots, on pretence that they had refused to obey their king who was actually his prisoner.

"The French accuse moreover this prince of excessive pride, even to the causing, as they assure us, the Marshal de l'Isle-Adam to be committed to the Bastille, for having dared to look in his face whilst he was speaking to him. It is true, if he had no other reason, this was a high strain of haughtiness and rigour. But can it be denied that a look, a bare gesture, may be sometimes very offensive? And who knows but the marshal, as he spoke, used some ag-

gravating circumstance, or rash expression, which rendered him worthy of chastisement, and which they have thought fit to conceal, in order to make what the king did appear the more odious?

"Avarice is another blemish they confidently reproach him with. They affirm, that after he was declared regent and heir of France, he never did one act of generosity either to any of the Burgundian party who had served him, or to those of the dauphin's, who had voluntarily submitted to him. I shall not take upon me to clear him from this charge, especially as it does not appear that he was very liberal to the English themselves who served him, either by reason of the great expence he was at, or because his inclination did not lie that way. Though he had abundance of good officers, and excellent generals, we do not find that he rewarded them according to their merit and services. We must, however, except the earl of Dorset, to whom he assigned a pension of a thousand pounds a year, when he created him earl of Exeter\*; Falstaff, to whom he gave a considerable estate near Harfleur; le Captal de Buch of the house of Foix, who had the lordship of Longueville; and the earl of Salisbury, to whom he gave the earldom of Perch. But after all, it is very possible that Henry's want of liberality was the effect of his prudence. The revenue of the crown amounted not to above fifty-six thousand pounds, and he was fain to pawn his jewels to supply what the sums granted him by parliament wanted to defray the charges of the war. Was it proper to appear liberal in such circumstances? Upon many occasions it would be well if sovereigns would stint their bounties, which are but too often bestowed at the expence of the poor people.

"Lastly, An unbounded ambition is a vice which the French think they may justly tax him with. In order to know whether this charge be well grounded, a man should examine whether he was in the right to renew, or rather to continue a war against France, which she herself was the occasion of by the breach of the treaty of Bretagne, to which recourse may be had, and which she herself had commenced. But this inquiry would be needless, after what has been said upon this subject in the reign of Edward III. However, it cannot be denied but that Henry was very ambitious. His first project was only to restore the peace of Bretagne. But as soon as he had a glimpse of being able to ascend the throne of France, his ambition hurried him beyond the bounds he had set to himself in the beginning of the war. I have already taken notice, that he had thoughts of making one of his brothers king of Naples, and the other of Sicily; and that in order to procure the duke of Gloucester four provinces of the Low Countries, he made use of means which certainly were not very honourable. We find in the Collection of Public Acts, that he had a design to purchase the duchy of Luxemburg of the emperor Sigismund, and to treat with him about the pretended claim of the emperors to the dauphin. In fine, it appears there also, that he would have paid the ransom of a lord of the House of Blois, who was prisoner to the marquis de Bade, apparently, in order to assert one day the pretensions of that House to the duchy of Bretagne."

By Catharine of France his queen, Henry left but one son, of the same name with himself, about eight or nine months old. The queen his widow, forgetting she had been wife to so great a prince, and was descended from the most illustrious house of Europe, married, some time after, Owen Tudor, a Welsh gentleman, not without giving great offence both to the English and French. It is pretended that this gentleman was descended from the ancient king of Wales, but whether his extraction be well made out, we cannot pre-

\* Even this did not satisfy some discontented minds, who imagined that this great person was not rewarded according to No XXX.

the greatness of his services. See before p. 246.



tend to declare\*. Owen Tudor had by the queen three sons, namely, Edmund, Jasper, and Owen. The eldest married Margaret, only daughter of John Beaufort, duke of Somerset, grandson of John of Gaunt, duke of Lancaster, and Catharine Roet, his third wife. He was father of Henry VII. whom we shall see hereafter ascend the throne.

Charles VI. king of France, out-lived Henry but two months. By the death of these two monarchs, a different scene from that we have just beheld was opened.

Henry V. erected the monasteries of Bethlehem and Bridget, near his manor of Richmond. He also made many presents to the works and furniture of Westminster Abbey, besides the fraternity of St. Giles without Cripplegate. He first instituted Garter principal king at arms, besides other honourable augmentations to the order of St. George.

### C H A P. III.

#### HENRY VI. SURNAMED OF WINDSOR.

ON the death of Henry V. his son Henry, an infant, was proclaimed king of England and France, by the name of Henry VI. But as the wisdom of some supplies the defects of age in others, so his father had by his last will appointed, and now the lords by their consent confirmed, the grand care of the public to his two uncles, John duke of Bedford, and Humphrey duke of Gloucester. The former, joining with the duke of Burgundy, had the regency of France, and the latter the government of England; and the care and tuition of the royal infant was committed to the two brothers, Thomas duke of Exeter, and Henry Beaufort, bishop of Winchester and chancellor of England. This appointment proved really advantageous to the English nation; for the trust reposed in them by the dying king, had made them better affected towards his son. And, indeed, the beginning of this reign, like the fair morn of a most tempestuous day, promised nothing less than a continuance of past felicities: for the state of the English affairs was great and flourishing; England without tumult, the natural fierce humours of her people consuming or increasing themselves in France; and France herself, at least the greater part of it, together with the city of Paris, was at their devotion. In short, there wanted nothing but Henry himself to compleat the work already begun; for, besides the duke of Bedford, there were the two terrors of France, Thomas earl of Salisbury, and John lord Talbot, and armies of veteran soldiers, where almost each man was equal to a commander. Yet Providence in time thought fit to change the whole course of affairs; and the first disadvantage which happened to the English cause, was the death of king Charles of France, who survived king Henry no more than fifty-three days†. This may be truly called the first disadvantage, because the imbecilities of that prince were a great strength to the English; and on the other side, the infancy of young Henry was an advantage to Charles the dauphin, who by his own partizans was proclaimed king of France, as the English in derision used to style him king of Berry‡, because he had not much more left than that province.

On the 9th of November, a parliament was assembled in England, the better to establish the crown upon the infant's head, and provide for the public necessities of the state; among which money was liberally granted, particularly five nobles upon every sack of wool. It was a new and uncommon sight to the English nation,

to see an infant sitting in his mother's lap, and exercising sovereign power in open parliament; for queen Catharine, to illuminate the public assembly with the presence of her royal babe, removed from Windsor to London, and with him in her arms was carried through the city in a pompous and splendid manner to Westminster, where being seated upon his throne, by the ordinary speaker of that high court, he saluted the august body, and proposed matters of the highest consequence to their most mature consideration. As the affairs of this young monarch, were wisely established in England, so they were no less vigorously prosecuted in France by the worthy regent the duke of Bedford; who heartily joining with the duke of Burgundy, fortified the frontiers of their possessions, assembled their deputies and representatives, and used all methods to retain the arts of their own party. In our public assembly at Paris, the duke of Bedford in a solemn speech exhorted the nobility of France, "not to violate their sworn allegiance, nor endeavour by themselves or others to defraud their sovereign lord king Henry of his rightful inheritance; nor to countenance any faithless men who would revive the expiring animosities between the French and English names and nations. That they would remember, that, by the bounty of Providence, the two kingdoms of France and England were in perpetual league, united into one glorious monarchy, and lately established beyond the extent of all human force. That though they had been great sufferers by the war, yet they would be no less gainers, if they honoured, loved, and obeyed their lawful sovereign king Henry; and according to their bounden duty prosecuted his enemies to the utmost extremity." This speech was well received; and young Henry was solemnly proclaimed at Paris king of England and France; and such noblemen as were present did their homages, and took their oaths of fealty. The like obligations and oaths of allegiance were in the same manner put upon all Frenchmen in the English dominions in France.

The dauphin, who now styled himself king of France, by the name of Charles VII. being then at twenty-seven years of age, full of courage, and fired with the hopes of success, gathered together a vast number of forces. He had the duke of Alençon, with several princes of the blood, and peers of France on his side, all of whom he purchased at a dear rate; for he was constrained to engage his castles, and the best part of his demesnes in pledge for them. But the greatest strength of his army consisted of some thousands of the Scottish nation, who, as true enemies to the English, served under his banner. In attempting to relieve Crevant, which the English had besieged, Charles's forces were put to flight with the loss of about two thousand men. Charles and his adherents were so far from sinking under the apprehensions of so ill an omen, that they resolved to encounter adverse fortune with increase of courage. Pursuing this resolution, they in a short time after repaired the loss they had just sustained by overthrowing a party of English, from whom, with the slaughter of fifteen hundred men, they recovered a great booty, especially of cattle, which they had gotten in the counties of Nivernon and Maine. Proceeding in this manner, Charles took Meulan upon the Seine, in January, 1423, and put the English garrison to the sword: but the possession was short, and the revenge speedy; for the earl of Salisbury, whom Polydore Vergil compares to the old Romans for valour and bravery, taking with him John de Luxembourg, general of the Burgundian horse, recovered the place and ordered all the French found in it to be put to the sword.

\* It is likewise said he was the son of a brewer; but the meanness of his extraction was made up by his delicacy of person, being reckoned the handsomest man of his time.—Tindal.

† He died October 21, 1422.

‡ This province is bounded on the north by the Gatinois,

Orleannois, and Blaisois; on the east by the Nivernois and the Bourbonnois; on the south by the Bourbonnois and La Marche; and on the west by Touraine and Poitou. It is divided into Upper and Lower, and is exceedingly fertile. The capital town is Bourges.



The better to establish the English affairs, at the city of Amiens in Picardy, the three great dukes of Bedford, Burgundy, and Bretagne, with the earl of Richemont, met in great state; where they renewed the former league, adding, "That each should be the other's friend, and that all of them should unite their forces in the defence of king Henry's right." But for the better confirmation of this profitable alliance, which was concluded on the 8th of April, the duke of Bedford, then a bachelor, married the lady Anne, sister to the duke of Burgundy; and the earl of Richemont married another of the duke's sisters named Margaret. While the regent was absent from Paris upon these occasions, the Parisians, who not long before had sent ambassadors into England to acknowledge king Henry, now entered into a design to deliver up the city to Charles the new king. The regent had timely notice of this dangerous conspiracy, and with his presence reduced them to their duty, with the execution of several of the chief actors. Not long after, there seasonably arrived from England, a body of ten thousand fresh soldiers, over whom for commanders, he appointed the earl of Salisbury, William Pole, earl of Suffolk, Robert Willoughby, and others; while he himself, for the general service, led eight hundred horsemen, and eight thousand foot. With these forces the main of English estates in France was supported and held together, though not without difficulties and various adventures; in which the regent took from Charles several strong towers and forts, as Crotoy, Compeigne, Balas, and many others.

The regent's chief design was to draw Charles to a general battle, hoping, by such a circumstance, to finish his work; to which end he marched into Normandy, while the other drew up his soldiers in Touraine. To promote this design, the regent laid siege to Ivres; whereupon the duke of Alençon was detached at the head of sixteen thousand men, with instructions to fight if occasion served, but Charles himself was not permitted to hazard his person. Not far from the town of Verneuil, which the English had taken before Alençon, and the Carolinians, could relieve it, the two armies were arranged in battalia. The fight began; and the English, inured to the French wars, having borne the first and fiercest attack of their enemies, by an uniform courage entirely broke their ranks, and put them to flight, and the regent himself, with his battle-axe, performed wonders, and gained immortal honour in the contest. In this battle, which was fought on the 18th of August, 1424, were slain on the part of the French, five earls, two viscounts, twenty barons, and above seven thousand soldiers, besides two thousand seven hundred Scots lately arrived; and the English took the duke of Alençon, with many other people of eminence, prisoners, besides a vast number of privates. The loss on the side of the English, amounted to about two thousand one hundred privates, and the two lords, Dudley and Charleton. After which the regent returned to Paris, and the earl of Salisbury, with ten thousand men, took the strong city of Mons, the town of St. Susan, the fort of St. Bernard, and other places; from whence marching into Amoy, he there performed such heroic acts, that even his name grew terrible to France. The news of these transactions arriving in England, caused great rejoicings among the people, both for the victory in the open field, and the gaining of so many considerable places; for which general processions and public thanksgivings were appointed.

In England, during these prosperous proceedings, James I. king of Scotland, whose ransom had been settled in the late reign, was now fully set at liberty: but, before his departure out of the kingdom, he did homage to young king Henry in Windsor-Castle, in the presence of many of the nobility and gentry, in these words: "I James Stuart, king of the Scots, will be true and faithful to you lord Henry, king of England, and France, the superior lord of Scotland; and to you I make my fidelity for the said kingdom, which I hold

and claim to you, and will do you service for the same, so help me God, and these holy evangelists." But, notwithstanding this solemn oath, and the many munificent presents that were made to him, he did not long continue in the interest of the English, but afterwards became as firm to the French as any of his predecessors. After Easter, in the third year of this reign, by the advice of the peers, the young king called a parliament, and going to the house himself, he was conveyed through the city of London upon a noble courser, in extraordinary triumph, the people thronging the streets to behold the child, whom they judged to have the lively features and countenance of his glorious father, and likely to succeed him in all mighty qualifications and abilities, as well as kingdoms and dominions. During this season, Edmund Mortimer, the last earl of Marche of that name, and nearest heir to the crown of England, deceased without issue, and his great patrimony descended to Richard Plantagenet, earl of Cambridge, son and heir to the same earl of Cambridge that was beheaded in the beginning of the last reign. In the time of this parliament also, John Mortimer, cousin to the deceased earl, was impeached for high-treason, and publicly executed; on account of whose death the people greatly murmured.

In the mean time, the amity and alliance with the duke of Burgundy, which the English had found so advantageous in their conquests, was now in danger of being utterly broken upon this occasion. Humphrey, duke of Gloucester, protector of England, following advices unworthy of his person and station, contracted himself with the lady Jaqueline of Bavaria, inheritor of Holland, Zealand, Hainault, and of many other dominions in the Netherlands, notwithstanding the duke of Brabant, her husband, was then living, and that the suit of divorce, commenced by Jaqueline, was still depending between them. The duke of Burgundy, in this affair, joined with Brabant, which soon raised the indignation of the duke of Gloucester, who, not being accustomed to meet with opposition, went over, in person, with an army to take possession of Hainault, in right of his supposed wife; but finding himself disappointed by the succours which Burgundy sent to the duke of Brabant, he proceeded to challenge the former in combat, and to call him traitor. This was accepted, but, by the mediation of the duke of Bedford, the challenge dropped, and the matter was accommodated; so that the duke of Gloucester, without performing any thing for which he came, left his lady at her town of Mons, and returned to England. Here Mezeray is of opinion, that if this unseasonable contest had not happened, the rest of France, at this time, would undoubtedly have been subdued. Not long after the duke of Gloucester's return, the first marriage which had been made and consummated between the duke of Brabant and the said lady Jaqueline, was pronounced lawful and valid by pope Martin V. who then sat in the papal chair. Whereupon the duke of Gloucester, having sustained many losses, both of friends and treasure, shortly after married Eleanor, the daughter of the lord Cobham of Stirlingborough.

In 1425, the court of England began to discover the usual effects of an infant's sitting upon the throne, by the dangerous emulation of the two principal men in the nation, the duke of Gloucester, and his uncle the bishop of Winchester, the one protector of the kingdom, and the other tutor to the king. Whether the former hated the riches and pompous living of the latter, or the latter envied the great authority of the former, it is certain, that the English court, the city of London, and the whole kingdom, were disturbed by this unhappy contention: alterations not to be wondered at; for, as thunder foreruns a storm, so king Henry's misfortunes were not to happen without being preceded by many disorders, which, though separately considered, were of no great moment, yet being joined together, were such as at length caused his ruin. The news of these domestic disturbances obliged the great duke



duke of Bedford to return from France in December, though the state of that realm sufficiently required his presence. For the duke of Bretagne, notwithstanding his late renovation of the league with the regent, growing jealous of the greatness of the English, suddenly turned to Charles's party; and with him the earl of Richemont his brother. This gave fresh life to the declining prince, who made Richemont constable of his party of France, in the room of the earl of Douglas slain in the battle of Verneuil; and he, to shew his gratitude, drew together an army of about twenty thousand men, and suddenly invested St. Jean, a town in Normandy, upon the frontiers of Bretagne, which the duke of Somerset, governor of Normandy, had lately fortified and replenished with soldiers. This unexpected approach of the French at first much perplexed the English; but upon better consideration, they courageously sallied upon them, both on the front and the rear, which so terrified them, that with the loss of their artillery, and many of their men, they abandoned the siege. To redeem which dishonour, Richemont turned his fury against the country of Anjou, pillaging and depopulating many places. The regent having resolved to return into England, left behind him Beauchamp, earl of Warwick, for his lieutenant, who was lately arrived in France with six thousand fresh troops. Having entered the city of London, the duke was magnificently received by the citizens, and presented with two silver basons gilt, and a thousand marks in money, as an instance of their esteem and gratitude.

The happy presence of the duke of Bedford, regent of France, was highly useful to the state of England. For the wisdom and authority of so great a prince, eldest uncle to the king, and one whom many actions had rendered famous, soon allayed the distemper which he found at his arrival. Differences were debated first at St. Alban's, then at Northampton, and, lastly, in a parliament at Leicester, which continued there until towards the end of June. The duke of Bedford himself, to avoid all marks of partiality to his brother at Gloucester, would not interfere, otherwise than in general words to encourage amity, but directed the whole cause to be referred to the most considerable men in the nation, both for birth and wisdom. By the prudent endeavours of these, all their differences, grievances, and accusations, were done away; and without mention of compensations on either side, the duke swore by his princehood, and the bishop by his priesthood, truly to observe the award, and were for that time fully reconciled. This pious and necessary work of private reconciliation, was succeeded by several acts of festivity and honour. For, in the same town of Leicester, the young king, not then five years of age, was at the high feast of Whitsuntide, solemnly knighted by his uncle the regent of France. Immediately after the king honoured Richard, earl of Cambridge\*, heir to the late earl of Marche, with the same order of knighthood, and about forty more with him.

Now the triple cord began to be untwisted, and one of the great supporters of the king's infancy, the duke of Exeter, departed this life towards the end of the year 1426. He was a man of no small wisdom and abilities; but as he had no sons, he made the king his heir, though, besides the bishop of Winchester his brother, and the countess of Westmoreland his sister, he had many nephews. To supply his room, Beauchamp, earl of Warwick, was constituted guardian and tutor to the young king. But he did not immediately return into England, for being lieutenant to the duke of Bedford in France, he continued there for some time, and performed many noble actions. He entered into the county of Maine, and took the town of Château de Loire, and after that

the castles of Maiet and Lude, in all which he put garrisons and English governors. [Here he was informed that the French were gathered together in the county of Beaux, upon which he hastened to have given them battle, but they understanding his design, fled at the terror of his name and nation. The earl in his return got possession of the castle of Montdubleau, where leaving lord Willoughby, he returned to Paris. It would be endless to take notice of all the sieges, skirmishes, and enterprizes in those wars, both foreign and domestic. There was not a city or borough in France without garrisons; forts and castles were built in all convenient places, upon hills, rivers, narrow ways, and open fields; every lord had his soldiers, or rather his bands of robbers, who maintained themselves by feeding upon the poor miserable country people. During these calamities, means were used by the duke of Burgundy for the freedom of the duke of Alençon, taken at the battle of Verneuil; and now for the sum of two hundred thousand crowns he was set at liberty; but nothing could induce him to acknowledge king Henry's title to the crown of France.

The duke of Bedford having at length established the peace of England, took shipping with his lady, and landed at Calais in February, 1427, where the bishop of Winchester, who went over with him, received the habit, cap, and dignity of a cardinal; which promotion the late king, with a penetrating eye, seeing his boundless ambition, had more than once defeated. But now the king being young, and the regent his friend, he obtained his purpose, to his great profit, and the impoverishment of the spiritualities of England; for, by a legatine bull, which he purchased from Rome, he gathered so much treasure, that he gained the name of the rich cardinal of Winchester. With the regent there went over a great number of select soldiers, under the command of lord Talbot, whose victories, says Polydore, were so numerous, that his name was not only formidable to the French, but famous throughout the world. To convey an idea of his temper and fierceness, upon one side of his broad sword he had this motto, "*Sum Talboti*," and on the other this boisterous sentence, "*Pro vincere inimicos meos*." Not long after his arrival at Montargis, near Orleans, a party of English received an overthrow with the loss of about fifteen hundred men; and in Bretagne the French sustained great damages from a commander under the duke of Somerset. Soon after this, the inhabitants of Mons, in Maine, permitted the French to enter the town by night, who barbarously massacred most of the English in the place. William, earl of Suffolk, governor of the town, retiring with some of his forces into the castle, sent to lord Talbot for succour. He immediately came, and his soldiers unexpectedly exclaiming, "*St. George à Talbot!*" the French were suddenly reduced to the last extremity, and most of them were put to the sword. All the rest were spared, only thirty citizens and thirty-five priests and other religious persons were beheaded as traitors, and the city remained in its former condition. It was hard to judge which of three things were most commendable in Talbot, his wisdom, his celerity, or his valour.

In June, 1428, above a year after the earl of Warwick had been declared governor to the king, he left France and returned into England; and the earl of Salisbury, who went over with five thousand soldiers, succeeded him in his charge. Consulting with the regent, he bethought himself of some action that might answer the greatness of his name, and raise the affairs of the public; and accordingly, in council, proposed to lay siege to Orleans. The credit of the earl was a sufficient reason to convince them how practicable it was; and he

\* This earl of Cambridge was at this parliament, by a fatal error, not only restored to his blood, tainted by his father, but likewise created duke of York; and he was the person that afterwards caused the extirpation of the male lines, both of his own and the house of Lancaster. And it was more than pro-

bable, that he would never have made such a bold attempt, had he not been promoted to this honour, and to other dignities and places of trust, that gave him an opportunity to effect his purposes.



was accordingly furnished with all competent provisions. The inhabitants of Orleans, dreading the approaching storm, with great diligence provided for their defence; and the suburbs, as large as some cities, were levelled to the ground, that the enemy might not annoy them from there; and they wanted not men, victuals, ammunition, and a constant resolution to fight. The earl of Salisbury, lord Talbot, and a formidable force under expert commanders, in a short time presented themselves before this large and beautiful city. No enemies appearing abroad, the earl approached near to the walls, and finding attacks fruitless, he intrenched about the city; and the more to secure the camp, cast up several ramparts, and other works of defence. He seized upon the fort which stood at the bridge foot beyond the river Loire, and surrounded the besieged on every side, so that Charles of France could send no sufficient relief to them. The city was reduced to the last extremity, the siege having lasted sixty days, not without great bloodshed on both sides. The earl of Salisbury, impatient of such delay, proposed to give a general assault; and the better to consider of the manner of it, he stood to take a view at a window, barred with iron, which overlooked the city towards the east. While engaged in making the necessary observations, he, together with Sir Thomas Gargrave, were so grievously wounded, that they both died in a few days. Soon after the death of this man, the fortune of war changed; and now other powers began to look favourably on the declining state of France. This to the English was said to be the beginning of misfortunes; for they quickly lost all their possessions in that kingdom.

However, the siege of Orleans did not end with his life; for De la Pole, earl of Suffolk, lord Talbot, and the rest, maintained the same all the winter. The necessities of the camp were relieved by a convoy from Paris, conducted by Sir John Falstaff, and fifteen hundred soldiers, who safely arrived, notwithstanding the endeavours of ten thousand French to intercept them\*. At length the city offered to surrender, but not to the English; the besieged were content that the duke of Burgundy should have the honour: an artifice to break the alliance between the English and him. The regent and his council being made acquainted with the circumstance, they concluded it unreasonable, since the English had been at all the labour and charge. The duke of Burgundy secretly relented this refusal, which from that time pallid the friendship that subsisted between the duke and the English: yet the regent answered, that the war was made in king Henry's name, therefore Orleans ought to be his.

In these difficulties were the French affairs involved: but while Charles of France grew more sensible of the miserable straits of this city, and ignorant how to remedy so great a misfortune, a young virgin of eighteen years of age presented herself to him at Chenon, called Joan of Lorraine, daughter to James of Arc, dwelling in Damremy upon the Meuse, an ordinary shepherdess, who desired him to be of good cheer, constantly affirming, that God had sent her to deliver the realm of France from the English yoke, and restore him to all his dominions. She was not immediately credited; but when the wisest of the ecclesiastics and military men had put many questions to her, and she still continued to her first words, uttering nothing but what was modest, chaste, and holy, honour and belief was at length given to her sayings. Upon which Joan armed herself like a man, and requiring to have that sword which hung in St. Katharine's church of Fierebois in Touraine; which demand increased their admiration, and raised their hopes, since such a sword was found among the old donaries, or votive tokens of that church. Thus accoutred in a warlike manner she rode immediately to Blois, where forces and provisions lay for the relief of

Orleans; with which she and the admiral, and marshal of France, safely entered. This highly encouraged the declining French; and Joan, the Maid of God, as she was now called, wrote this singular letter to the earl of Suffolk, then lying before the town: "King of England, do justice to the King of Heaven, in his blood royal; deliver up to the virgin the keys of all the good cities you have forced. She is come from Heaven to restore the blood royal, and is ready to make peace, if you be willing to do justice: yield therefore, and restore what you have taken, O king of England. But if you will not, I am the chief of this war, therefore I encounter your men in France, and will pursue them; if they will obey, I will take them to mercy. The virgin comes from the King of Heaven to drive you out of France: if you will not obey, she will raise such a flame as has not been known these thousand years in France. And be assured, that the King of Heaven will send to her, and her good men at arms, more forces than you have. Go, in God's name, into your country: be not obstinate, for you shall not hold France of the King of Heaven, son of the Holy Mary; but king Charles, the lawful heir, shall enjoy it, to whom God has given it; he shall enter Paris with a noble train. You, William Paulet, earl of Suffolk, John, lord Talbot, Thomas, lord Seales, lieutenants to the duke of Bedford; and you duke of Bedford, calling yourself regent of France, spare innocent blood, and leave Orleans at liberty. If you do not justice to them you have wronged, the French will perform the greatest exploit that ever was known in Christendom. Understand these tidings from God and the virgin."

This letter was entertained by the English with laughter, and Joan reputed no better than an enthusiast or enchantress; though to some it was thought more honourable to the English, that they were not to be repelled by human force, but by something extraordinary, if not divine. Du Serres gives this character of the virgin, that she was of a modest aspect, sweet, civil, and resolute; her discourse moderate, rational, and reserved; her actions demonstrating great chastity, without vanity, affectation, or levity. Whatever her qualifications were, by her encouragements and conduct the English soon lost their hopes of Orleans, after they had suffered the duke of Alençon to enter with fresh forces, and with great loss were constrained to break up the siege. In all actions she was the foremost, and she made several fierce sallies upon the English; in one of which being shot through the arm with an arrow, she courageously cried out, "This is a favour from Heaven, let us go on; they cannot escape the hand of God." The English lost in this siege the earl of Salisbury, lord Molun, lord Paynings, and great numbers of inferior persons, slain by the sallies of this martial virgin. Lord Talbot marched off in good order with above nine thousand men, whom Joan would not suffer the French to pursue. In memory of this extraordinary deliverance the city of Orleans erected a monument, where Charles VII. king of France, and Joan the martial maid, were represented kneeling in armour, elevating their eyes and hands to Heaven, in token of their thanks and acknowledgment.

An interchangeable taking and recovering of towns, and places of importance, now took place on both sides. The castle of Galiard was surrendered to the French upon composition, where, in a grated chamber, they found lord Barbasan, who, having sworn to be a true prisoner, could not be induced to come out of that place, until captain Kingston, to whom he had given that oath, was upon safe conduct recalled to acquit him, which was accordingly done. Lord Talbot took Lavall, and the earl of Suffolk threw himself into Jargeaux: to which last place the duke of Alençon, with Joan and other great commanders, marched and forced

\* Sir John Falstaff encountered the French on the 12th of February, 1429, when the French were defeated with the loss No. XXXI.

of about six hundred men. This battle was called *The Battle of Herrings*.



it by storm. Sir Alexander Pole, brother to the earl of Suffolk was slain, and many other persons; and the earl himself was taken prisoner. After the duke of Alençon had added some other places to his conquests, his numbers were augmented by the conjunction of the constable of France, the earl of Vendôme, lord D'Albert, and others; so that now their whole army consisted of about twenty-three thousand effective men. With these they suddenly attacked lord Talbot, who had not above a fifth part of their number, at a village called Patay, whom they charged so unexpectedly, that his archers had no time to fortify their stations after their usual manner, by palisadoes or empalement of stakes, so that they were driven to uncommon difficulties. After three hours resistance, the English were put to the rout; and lord Seales, lord Hungerford, Sir Thomas Ramwone, and even lord Talbot himself, after being wounded in the back, were taken prisoners. The footmen forced to trust to their swords, under the shelter of such horsemen as remained, retreated in good order, and got to a place of safety, after they had lost about twelve hundred men, and the French about half that number. This blow shook the very foundation of the English greatness in France, and awaked multitudes, even of those who had before sworn fealty to king Henry; and now violating their oaths, they readily joined with the victors for recovering the common liberty. There succeeded an immediate revolt of several towns; and it was not long before Charles himself issued out in arms, and recovered the city of Rheims in Champagne; where, according to the maid's direction, he was solemnly crowned king of France. Hitherto she might plausibly be thought prophetic and fortunate; and it seemed that the chief part of her employment was accomplished, yet she flourished for some time longer.

The duke of Bedford, to prop the declining state of the English upon the unfortunate news of the relief of Orleans, and captivity of Talbot, gathered all his forces together, which amounted to about ten thousand English, besides some Norman auxiliaries. With these he marched out of Paris, and bravely opposed himself against the current of Charles's prospects, who now designed to have attempted that capital city; being encouraged by some of the citizens, who held strict and secret correspondence with him. But this prince knowing the regent's valour and resolution, suspended the execution of his design, as yet having no hopes to effect it; and being by Joan dissuaded from engaging, the regent returned to Paris. Shortly after Compeign and Beauvois voluntarily submitted to the new crowned king. The regent having settled the state and garrisons of the chief city, passed into Normandy, to provide for a safe retreat, if the English should be constrained to quit their other holds and dominions; of which he began to be apprehensive, because he had information of many se-

cret endeavours to gain the Burgundians from king Henry's interest. While the regent was absent upon this occasion, Charles gained the town of St. Denis, not far from Paris; but held it not long. From whence he sent the duke of Alençon with the maid of Orleans, to try their friends at Paris. Here, however, they failed of success; for the English gave them so rough an entertainment, that Joan herself was wounded, and the rest with great slaughter repelled. The regent hearing of these attempts, entrusted the towns on the coast of Normandy to the care of the duke of York; and Rouen to the duke of Somerset, and hastened to Paris, where he highly commended the soldiers and citizens for not imitating the disloyalty of their neighbours.

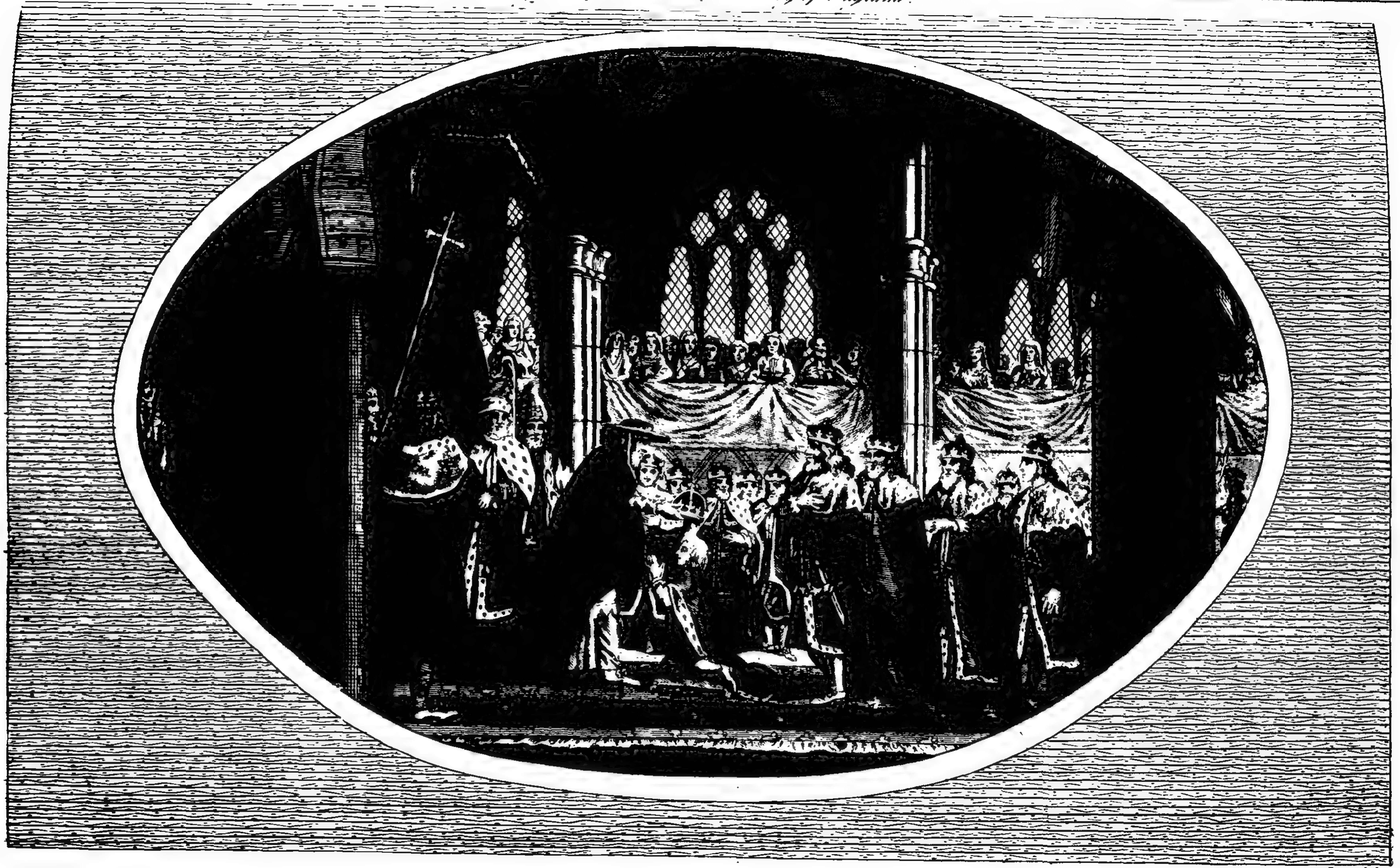
New supplies arriving from England, 1430, the next enterprize was to reduce Compeign to obedience; to effect which John de Luxemburg, with the Burgundians, and some English soldiers invested it. Here all the glory of Joan de Arc came to a period; for, advancing to relieve the place, she successfully entered; but afterwards falling out, her troops were beaten, and herself, as some say, betrayed, taken prisoner by the said Burgundian knight, who, for the value of her ransom, which was ten thousand pounds, Tournois, and three hundred crowns annual rent, delivered her into the hands of the English, notwithstanding the siege was raised; after which, they sent Joan to the city of Rouen, where about nine or ten months after she was burnt alive. The Roman Clælia was saved by Persennio; and it is not to be doubted but that the magnanimity of the English would have spared her, had they not found it necessary to deface the opinion which the French, to the highest superstition, had entertained of her. The English writers shew, that the course of her life being legally examined by the bishop of Beauvois, in whose diocese she was taken; and she being for sorcery, bloodshed, and unnatural use of masculine habiliments, condemned to die, was notwithstanding, upon her solemn abjuring all her lewd practices, pardoned her life, until again convicted of a perjurious relapse, though acknowledging herself a strumpet, and feigning herself with child, she met with that punishment the injustice, or rather superstition of the times, thought fit to inflict upon her. Many of the French writers shew the highest value for her memory; and Mezeray says, "that, being on the pile for execution, she foretold the English, that the hand of God was ready to strike them, and that his justice would not only drive them out of France, but pursue them into England, and make them suffer the same miseries and calamities they had inflicted on the French." She was a person of extraordinary valour and spirit, and the chief restorer of the kingdom of France; and if she did not drive the English from thence, as she herself boasted, she was the principal, or at least one of the chief human causes why the English lost France\*.

In

\* The actions of the celebrated Joan of Arc have made so much noise in the world, that we think it necessary in this place to give some account of them: it must, however, be observed, that we have but one contemporary author (Montrelet) who seems to have written with any degree of modesty on the subject, and he had seen and conversed with the girl. This author acquaints us, that the maid of Orleans was born in the parts between Lorraine and Burgundy, at a place called Droygni (Dompre), not far from Vaucouleurs. She styled herself Pucelle, or Virgin, inspired by Divine Grace, and said she was sent to the king to put him in possession of his kingdom, of which he was wrongfully deprived. The letter which she sent to the king of England, before the siege of Orleans was raised, is inserted at length in p. 361, col. 2. We shall here, as our limits will not allow us to enter into a particular detail of the minutiae respecting this celebrated personage, give an abstract account of her examination and trial. Being charged to speak the truth, she replied, she would say what concerned her father and mother; but that she would not disclose the revelations she had told king Charles, but that in eight days she should know whether she might speak of them or no. Concerning her name and family she said, that she was of the village of Dampre; that in her own country they called her Jaenette, but in France Jaenne d'Arc; that her father's name was James of Arc, and her mother's Isabella. That she was then (1431) about twenty-nine years of age. That she was by trade a temptress and spinner,

and not a shepherdess. That she went every year to confession. That she frequently heard a voice from heaven, and that in the place where she heard the voice, she saw also a light, which she took for an angel. That the voice had often warned her to go into France, and to cause the siege of Orleans to be raised. Being interrogated whether she had ever seen any fairies, she answered, No; but that one of her god-mothers pretended to have seen some at the fairy tree by the village of Dompre. She told them that before seven years were over, the English should leave a greater pledge than what they had left before Orleans, and should lose all they held in France. That they should sustain in France a much greater loss than what they had already done, by means of a great victory which the French should gain over them. Being asked whether she bore any coat of arms, she answered, No, but only her standard. That it was true the king had given her brothers a coat of arms. That she had talked with St. Katharine and St. Margaret at the fairy tree, and not with the fairies, as she had been accused of. That she began at thirteen years of age to converse with these saints. To the charge of having several times communicated in man's clothes, and kneeled to the voice which spoke to her; she confessed it all. The proctor, having asked advice concerning the articles which had been drawn up by the judges from her confession, the judges told him, that what Joan of Arc had done was all a cheat, and the invention of the devil to deceive poor people. That she was guilty of disobedience to her parents.





*The grand Coronation of Henry VII at Paris, in the presence of the Nobility of England, France, Burgundy & Normandy.*

Published by W. & J. Strangers, No. 2 Holborn Hill, June 9, 1702.

*Drawn, fash.*



In 1431, the English affairs were observed more and more to decline; but, to remedy their misfortunes, it was thought necessary for young king Henry to go over and be crowned in Paris. He had the last year received the crown of England at Westminster, being then about nine years of age. This year resolving to visit France, before his departure, Richard, duke of York, was made high constable of England during life. The affairs of England being settled, and new supplies of money granted by parliament, the young king, with a noble retinue, took shipping at Dover, and landed at Calais, from whence he removed to Rouen, where he was received with submission and respect. In November he departed from Rouen, in order to make a public entry into Paris; which was performed in the company of the two great cardinals of Winchester and York, and the chief princes of the blood; dukes, earls, barons, prelates, the flower of the English, French, Burgundians, and Normans, with a select body of three thousand men to guard his person.

On the 7th of December he was publicly crowned king of France, in the cathedral at Paris, by his great uncle the cardinal of Winchester; and in his return to the palace, he had one crown on his head, and another borne before him; as likewise, one sceptre in his hand, and a second carried before him; implying that he was king of several kingdoms. The duke of Bedford entertained the great assembly with a speech, in which he declared king Henry his nephew's undoubted title to the crown on his head, and recommended the same to their fidelities, adding several promises of honour and advantages. Such of the French nobility as were present did homage: the people were flattered by engaging words; and money, corn, and wine, by way of donation, were liberally bestowed amongst them; and proclamations made that all Frenchmen who came in by a fixed day, should be protected by king Henry.

This splendid entertainment did not pass without some displeasure among the English nobility; for the cardinal of Winchester commanded the duke of Bedford to lay aside the name of regent during the king's presence, alledging, that while he was there in person, the power of a substitute was at an end. The duke of Bedford took such a secret displeasure at this haughty proceeding, that he never after favoured the cardinal, but opposed him in all his actions; and this was the root, according to some historians, of that division among the English nobility, whereby their glory in the realm of France began first to decline. After five days continuance in Paris after the coronation, which were spent in public tournaments and entertainments, the king was advised to leave Paris, and remove to Rouen, where he kept his Christmas. Still Charles of France esteemed himself no less a king, but daily pursued his affairs; and his forces took the city of Chartres by stratagem, and put the bishop of the place and others to the sword. Nor were the English unemployed; for the duke of Norfolk, the earls of Arundel, Warwick, and Suffolk, soon made up the loss with much advantage; which was increased by the deliverance of lord Talbot, who by virtue of an exchange was now set free. It was observable among foreigners, and not without admiration, that the small and distant country of England, under the government of an infant, should so long and so successfully contend with such a potent and populous kingdom as France. But at that time such was the valour and martial vigour of the English nation, that they scarce knew any medium between death and victory; always preferring an honourable end before a lingering servitude. This moved pope Eugenius, and all the Christian princes, so often to make overtures of accommodation between these two contending kingdoms; but until this year could effect nothing, but a very imperfect truce for six years: which being agreed upon,

and of idolatry, to the dishonour of the church. The sentence was sent to the university of Paris, was confirmed there by the body of divines, and ratified by a decree, and Joan pronounced heretic and schismatic. Afterwards she abjured her errors;

king Henry took his last farewell of France, and landed at Dover upon the 21st of February.

In the beginning of 1432, his uncle, the duke of Gloucester, gave a very faithful account of his government in England, during the king's absence; of which the suppression of an insurrection at Abingdon in Berkshire, was not the least service. A weaver, the bailiff of the town, was the head to which all the contagion gathered; who, changing his name, called himself Jack Sharp, of Wigmore's lands, in Wales. One of his chief designs was to massacre priests, whose heads, he said, "he would make as cheap as sheeps' heads," for which, being taken, he lost his own. Whatever his pretensions were, the mentioning of Wigmore's lands, the ancient inheritance of earl Mortimer, and now in possession of the fatal duke of York, who from thence challenging the crown of England, intimated something further. It is rather astonishing, that the council under king Henry, hearing that title so frequently glanced at, provided no better against the mischief. Inquietude now reigned abroad as well as at home; for the soldiers of Calais, dissatisfied with their pay, began to be mutinous and troublesome. But the regent going there in person, soon put an end to the tumult by beheading the ringleaders, and cashiering and banishing a hundred and ten of the rest, as had been formerly done to six score others. These were inconsiderable affairs; but the loss of France began to be more conspicuous. In the regent's journey, king Henry's interest was apparently depressed; for, being a widower, and arriving at Turwin, without the duke of Burgundy's privacy, he married the lady Jaquet, about seventeen years of age, daughter to Peter of Luxemburg, earl of St. Paul, and no friend to the duke. This match was very injurious to the English affairs; for Ann, the regent's former wife, sister to the duke of Burgundy, a strong ligament of amity between them, weakened the same by her death; and this second marriage, displeasing to the duke, yet more and more diminished it.

Still the accidents of war, between the English and French, were numerous and various, sometimes the one, and sometimes the other, getting and losing, as opportunity served; which uncertainties produced intestine convulsions, great outrages, an unrestrained licentiousness, and a scarcity of the necessaries of life. It would be tedious to recount the particular less actions, and almost impossible to describe all the sieges, surprizes, and skirmishes: yet the fortune of Reyner duke of Anjou, and Barre, must not be omitted, because king Henry afterwards unhappily married into his family.—His wife was Isabel, daughter and heiress to Charles, duke of Lorrain, upon whose death, Reyner expected to succeed him in all his dominions; but the earl of Vallemont, brother to duke Charles, presuming he had a nearer title, drove the matter to be decided by war. Charles, king of France, was a steady supporter to Reyner's claim; and the regent and duke of Burgundy espoused the cause of the earl. The assistance of the latter prevailed so far, that Reyner's troops were beaten from the siege of Vallemont, with the loss of three thousand men; and himself, with two hundred others, remained prisoners to the duke of Burgundy; one of whose subjects commanded in chief in that enterprize. The king of France might seem to have sustained a great loss by the captivity of the duke; but the English gained no advantage by it; for his persuasions and private services on the behalf of king Charles, did not a little prepare the duke of Burgundy's heart to receive impressions of reconciliation. The French who lived under the regency, or were in danger of the English power, made choice of the duke of Burgundy to protect them, from which they could not be fairly debarred, because as yet he appeared to be king Henry's friend. Indeed, this unsettled state of affairs, was full of horror and

but again returning to her former opinion, was declared an heretic relapse, and was accordingly sentenced to be burnt, which sentence was put into execution as above related.

confusion,



confusion, which Polydore Vergil thus describes: while the English and French contended for their dominion, sovereignty, and life itself, men's goods were violently taken by the licentiousness of war, churches robbed, people in all places murdered, wounded, or tortured; matrons abused, virgins torn from their parents' arms, and mercilessly ravished, towns daily taken, plundered, and defaced; the riches of the inhabitants used at the conqueror's pleasure; houses and villages on all sides flaming with fire; no kinds of cruelty unpractised upon the miserable French. Nor was England herself free from these calamities, who every day heard the news of her valiant childrens' funerals, slain in perpetual skirmishes and encounters, and found her general wealth continually ebbing and decreasing; so that the evils seemed almost equal, and the whole western world echoed the groans of either nation's quarrels, as being the common foundation of discourse and compassion throughout the European states. The methods at this time used by the English, only faintly kept alive the general state of the regency in France, without putting a period to the war, either by finishing the conquest, or establishing what was gained. The earl of Arundel and lord Talbot, however, ranged about with victorious forces, terrifying the inhabitants of Anjou, Maine, and other parts. In Normandy the common people gathered together in great multitudes; of whom sixty thousand were rebelliously combining in Vexin, Normandy, and twenty thousand in Caux. Their design and pretensions were to drive out all the English officers, and to have favoured king Charles's interest. To stop their insolency, and the progress they made towards Caen, the earl of Arundel, and Robert lord Willoughby, with thirteen hundred light horse, and six thousand archers, marched against them, by the direction of the dukes of York and Somerset, who had the chief lieutenantcies in Normandy. The earl laid in ambuscade with two parts of his men, while lord Willoughby drew the rebels into it with a third. Many were put to death before the fury of the soldiery could be restrained. The multitudes were permitted to return home, but the ringleaders were executed. Not long after, the earl of Arundel received his death wound in a skirmish at Gerberoy, in Beauvoisin, where La Hire, a famous French commander, obtained the victory.

The regency still continued and the miseries of France were no ways diminished; and nothing could put a period to them, while the duke of Burgundy kept in league with the English. Therefore, to prepare matter for a disunion between the regent and the duke, such of the nobility as went over to the latter insinuated to him, "That king Charles had, upon all occasions, spoke honourably of him, and inwardly wished well to him; and that he never heard the murder of his father named, but it caused him, with sighs and protestations, to declare his innocence." These, and similar mollifying allegations, soon began to operate, when applied to the mind of one whose affections towards the English daily decreased, by means of several jealousies and averions; so that there wanted nothing but an outward honourable occasion to bring him entirely to the French party. In the mean time, to put an end to the general calamity, the deputies of the grand council urged the French, English, and Burgundians, to come to a treaty; and the city of Arras was appointed for that purpose, where a congress met August 6, 1435. From the pope and council of Pisa came the cardinals of St. Crispin and Cyprus, with twelve bishops; for the king of France were the duke of Bourbon, the earl of Richemont, the archbishop of Rheims, and many other great and learned men; for the king of England were the cardinals of York and Winchester, the earls of Suffolk and Huntingdon, lord Hungerford, and several doctors of divinity; for the duke of Burgundy were the duke of Guelders, the earl of Nassau, and a great number of other noblemen. Mezeray says, that it was the greatest and noblest assembly that had been known to this age, where all the princes of Christendom had their ambassadors; and the harbingers took up stabling for ten thou-

sand horses. But, notwithstanding all this care, it proved ineffectual; for the English, being in possession, strenuously urged the right of descent, and the act of the late king Charles VI. by which the crown of France was settled upon Henry V. and the issue of Katharine his wife; and therefore they proposed no other conditions of peace, but that Henry their king should have all, and Charles to hold under him. The French offered entirely the two dukedoms of Normandy and Gascony; and the assembly broke up without any further agreement. King Charles resolving to main the English faction upon any terms, sent the duke of Burgundy a blank paper, bidding him prescribe his own conditions and demands, which he did: and his conditions, says a French author, were so numerous as to fill a volume, and so unreasonable, that it was amazing that so great a monarch should stoop so much to a subject and vassal. But, necessity urging, they both joined upon the 24th of September; and the duke, transported by profit, declared himself an enemy to all opposers of king Charles, after he had caused the deaths of three hundred thousand men in his quarrel, besides the destruction of innumerable cities and towns.

This may be said to be the first party blow which separated the French dominions from the English sovereignty; and the event declared, that the English had done more politicly, if they had accepted of Normandy and Gascony, but in those circumstances they could not in honour comply. By this conjunction king Henry lost not only a powerful ally, but was constrained to rely upon his own strength, as well against king Charles, his declared enemy, as now against the duke of Burgundy, who more than seemed to have betrayed the cause. To give a fair colour to this fact, the duke dispatched ambassadors into England in the spring of 1436, to king Henry, to give the reasons of his treaty with king Charles, and to persuade him to rest satisfied with what had been transacted; which embassy was so odious to the English, that they took the liberty to call the duke a time-server, a perjured man, and a traitor; and the popular fury arose so high against the duke's subjects residing in London, that many of them were slain, before a proclamation could put a stop to it. The ambassadors returned with admonitions to their master, against which his ears and his senses were irresistibly fortified; for king Charles had surrounded and loaded him with royalties, privileges, honours, money, cities, towns, and, indeed, whole provinces that were confirmed to him, only to oblige him to abandon the English. This extraordinary munificence soon made the duke a true Frenchman; and though he paid so vastly dear for his alliance, yet it was worth the expence, for Æmilius tells us, that the cessation of his anger redeemed the French from a foreign government, as his first assuming of it made the English lords over France. But, however, the duke's indignation for the murder of his father had moved him first to embrace the English interest, he afterwards, by way of compensation, subtilly converted his revenge to the enlargement of his own riches and power. After the return of his ambassadors, he sent back all contracts to the duke of Bedford at Paris, and renounced the alliance of England, declaring, "That every man should look to his own interest."

Hereupon each party made new and vigorous preparations, in order to recover that by force, which they could not obtain by reasoning: but all things manifestly favoured the French design. King Henry was scarce out of his childhood, and after that not man enough to deal with such turbulent occurrences; the princes of the blood weakly united for the common good; the protector, though vigilant over England, and the regent careful for France, yet both privately covied; Richard, duke of York, increasing in strength, but ambitiously reserving himself for a select day; many of the great English warriors slain; and, in short, a declining inability through the whole body of the English forces; which, though otherwise, they might have prolonged the war; and kept their footing, yet the death of the mighty regent doubled the difficulty, or almost the impossibility.



This prince, not long after the revolt of the duke of Burgundy, died at Paris, after having been regent fourteen years.\*

The regent of France being dead, the late treaty between king Charles and the duke of Burgundy, soon produced effects the most dangerous to the English cause; for many towns immediately revolted; and multitudes of the French, who through fear had been restrained, falling away, all the English dominions were filled with private assemblies, and correspondencies with the enemy. Such English as were then in France were not altogether idle; but yet, through a fatal security or negligence at home, they wanted recruits to support them. To supply the vacancy of the duke of Bedford, Richard, duke of York, now a prevailing favourite, was created regent of France; and Edmund, duke of Somerset, his perpetual rival, still continued governor of Normandy. This latter violently opposed the advancement of the former to this elevated station; wisely foreseeing more than the protector and all the council of England: yet his opposition was unseasonable and fruitless; for the duke of York had gained such a party about the king, that notwithstanding the disadvantage of his latent title, which alone was sufficient to have excluded him from great trusts in a politic government, he prevailed: but before he could arrive in France, the city of Paris was lost. Robert lord Willoughby was then governor for the English, who had not above two thousand soldiers with him; for in case of extremity, the faith of the citizens was presumed to supply all defects against a common resistance. But on the contrary, the citizens, perceiving the declension of the English, especially after the regent's death, conspired against them; and the treason was carried on so subtilly by some of the principal magistrates, who articted for a general pardon from king Charles, that the design took effect before it could be discovered. Lord Beaumont introduced the loss with his own misfortune; for the earl of Richemont, countable of France, hovering about Paris, in hopes to recover the place, lord Beaumont with some hundreds of English, falling in with him about St. Denis, were worsted. While the rumour of this inconsiderable defeat was fresh, and much aggravated, the French advanced to the city walls, upon which a gate was immediately opened to them by their partizans. And now the citizens, who were lately subjects, suddenly turned enemies; and the women and children attacked the English from their windows with all sorts of missile weapons, and many were beaten down, and massacred in the streets. Lord Willoughby, governor of

the place with many others, fled to St. Anthony's gate and the Bastile, places which they had reserved for defence in times of necessity. Many more had been saved in those places, but the citizens drew chains across the streets, and stopped their passage. At length those in the Bastile after some shew of defence, demanded a parley, and agreed to depart with their lives and baggage. They were conducted about the town beneath the Louvre, to embark upon the river Seine, and so pass to Rouen; for they could not safely pass through the city. The people being advised of this ran to the walls, and expressed great joy on the departure of the English. Thus Paris returned to its former government, (about seventeen years after the duke of Clarence had placed a garrison there in behalf of his brother Henry V.) on the 13th of April, 1436.

Paris was lost in the worst time to march an army; for the duke of York, the regent, being hindered by the badness of the season, arrived afterwards, accompanied with the earls of Salisbury and Suffolk, lord Falconberg, and other worthy persons, together with an army of eight thousand men. But this regent never did any material service in France; though still the English affairs were not come to the last extremity. In the late conquered parts of France they held Normandy entire, but not without much trouble; for the people again rebelled in Caux, which disturbance was quelled with a greater and more merciless destruction of the authors and actors, than the former. No less than five thousand of them were put to death by the fury of the English, under the conduct of lord Scales, lord Hoo, and others; who burnt all their habitations, made booty of their goods, and drove the whole body of them out of the country. Lord Scales not long after defeated La Hire and his men near Rouen. The war was managed on all sides without full or complete armies; skirmishes were the ordinary ways of fighting; and the French were cautious in venturing all upon a pitched battle.

The duke of Burgundy as yet had not in person given any proof against the English of his affection to king Charles: but now he attempted the recovery of Calais; though he is believed to have been moved to this action by a desire of private revenge: for the English, upon his forsaking their alliance, had endeavoured to stir up the inhabitants of Gaunt†, and other Flemish towns subject to the duke, to rise in rebellion; but the opinion that king Henry's affairs were dangerously declining, made them unwilling to move. However, the news of this successful attempt excited the duke to a revenge, and caused him to bring an army of forty

\* How powerful this prince was appears, in some measure, from his titles, which were, regent of France; duke of Bedford, Alençon, and Anjou; earl of Maine, Richmond, and Kendale, and high-countable of England: and what exceeded his greatness, was his being one of the best patriots and generals that ever sprung from the royal stem of the Plantagenets. His valour was not more formidable to the enemy, than his memory was honourable: for Lewis XI. the next king of France, being afterwards advised by certain envious persons to demolish his stately tomb at Rouen, in which was buried all the good fortune of the English, he generously returned this noble answer: "What honour can it be to us, or you, to deface this monument, and to disturb the bones of him, who, when living, neither my father, nor your progenitors, with all their power, were once able to repel? Who, by his strength, policy, and conduct, kept them all out of the principal dominions of France, and out of this noble dukedom of Normandy: wherefore I say, God save his soul, and let his body now lie at rest; who, when he was alive, would have terrified the proudest of us all: and as for his tomb, I think it not so worthy or convenient, as his honour and acts deserved." It is observable, that none of the sons of king Henry IV. did degenerate; a thing not usual in so large a family: Henry V. died in the pursuit of his conquests, the duke of Clarence valiantly fighting, and though Bedford of a natural death, and Gloucester afterwards of a violent, yet they died not with less fame than the rest.

† Gaunt, or Ghent, is a large and handsome city; the capital of the Antwerp Flanders. It is seated at the confluence of four navigable rivers, viz. the Schelde, the Lys, the Lieve, and Merweder. Ghent is defended by a castle which is tolerably

strong, and is surrounded by a wall, and other fortifications, ten or twelve miles in circumference. Within the town are about thirty-seven thousand houses, seven parish churches, and fifty-five monasteries and nunneries. But little more than half of the ground within the walls is built upon, the rest consisting of fields and gardens. It is, however, not a very strong town. The streets are wide and tolerably well paved, the market places are spacious, and the houses are built of brick. The town is divided into six and twenty islands, by the rivers and canals which pass through it, over which there are near an hundred bridges. On the bridge called Dogebrack are two brazen statues representing a son in the act of beheading his father: for it is related, that both of them being condemned to die, a pardon was offered to him who would be the executioner of the other; and the father having prevailed on the son to take the office upon him, when his hand was uplifted to strike the fatal blow, which was for ever to have laid his father in the shades of night, the blade of the sword brake in his hand. This being looked upon as miraculous, they were both pardoned. The silk and woollen manufactures flourish very well in this town, and the inhabitants carry on a good trade in the linen manufacture. It is the see of a bishop under the archbishop of Mechlin, and the provincial court is held here, from which, however, there is an appeal to that of Mechlin. The government of Ghent is lodged in the Burgomaster and Schepins, i. e. the mayor and aldermen, as in most of the cities of the Low Countries; besides which, there is a great council or senate, which assembles upon extraordinary occasions. Ghent is twenty-two miles south-west of Antwerp, twenty-six north-west of Brussels, and fifty-two east of Dunkirk.



thousand men before Calais. The chief commanders there for king Henry were lord Dudley, who had the charge of the castle, and Sir John Ratcliff, who had the care of the town: the duke's design was to have blocked up the harbour by sinking ships laden with stones; but upon the ebb tide the Calisians easily removed those impediments. King Henry being informed of the siege of this important place, the protector, the duke of Gloucester, was sent over in person with a powerful fleet and army, who bravely challenged the duke of Burgundy to meet him in the open field. Here authors differ, yet they generally agree in this, that the duke of Burgundy raised the siege without any battle. The protector became master of the duke's camp, and spent eleven days in his dominions, burning Poppering and Bell, and doing great damage about Graveline, Boulogne, and other places; then settling the affairs of Calais, he returned home with great honour to his charge in England. The English were thought to have created new work for this active duke in his own dominions, where many great tumults arose, in one of which his own person was endangered at Burges, where Lisle Adam, the captain of his guard, was slain. Hence it came, perhaps, that a medium was found out, by contracts made with Isabel the duchess, his third wife, and an ingenious woman, to hold a league with England, and yet make no breach with France.

The following year, 1437, was memorable for the death of three great princesses, Katharine, mother to the present king Henry, and sister to the king of France; the old dowager of king Henry IV. daughter to the king of Navarre; and the old countess of Armagnac, daughter to the duke of Berry, and mother to the duke of Savoy; who all died within forty-eight hours of each other. The former of the three, not long after the death of her husband, Henry V. secretly married Owen ap Tudor, as before mentioned. Two of their children, Edmund and Jasper, are mentioned in history. The former (being afterwards created earl of Richmond, and married to Margaret, the daughter of John, duke of Somerset, who was grandson to John of Gaunt, duke of Lancaster) became father to the famous king Henry VII. In the same year the duchess dowager of Bedford, widow to the late regent of France, married also below her degree to Sir Richard Woodville, who became father to the lady Elizabeth, who had the honour to marry king Edward IV. and by this was both herself a queen, and a progenitress of those kings and queens that followed; for from her and this match sprung another Elizabeth, the renowned wife of king Henry VII. as king Henry himself did of the former match. Both these matches proved fortunate to England; but another happened which threatened danger to king Henry; this was the match made by James, king of Scotland, with his daughter Margaret, to Lewis the dauphin, and sent new supplies of men against the English. He designed also to have attempted something in person, but before he could effect it, he was murdered by traitors at Perth, suborned by the earl of Athol, his near kinsman, in hopes to obtain the crown; for which in part of his punishment, a red-hot crown of iron was put upon his head\*.

In France, the new regent, the duke of York, continued active, but performed nothing worth remarking. But the duke of Somerset, accompanied with lords Talbot and Falconberg, and a competent force, laid siege to Harfleur, which the Normans in the late rebellion had besieged, and maintained under the French commanders. King Charles upon this sent a body of four thousand men to relieve the place, but not being able to effect it, Harfleur surrendered to the duke. Not

long after the duke of York was recalled, and in November Richard, earl of Warwick, was sent over to succeed him as regent of France: he carried with him a thousand fresh soldiers, and arriving at Harfleur, he thence marched to Rouen, now the chief of the English dominions in North France, as Bourdeaux was in the South; to which last place the earl of Huntingdon, with a sufficient force, was sent as lieutenant.

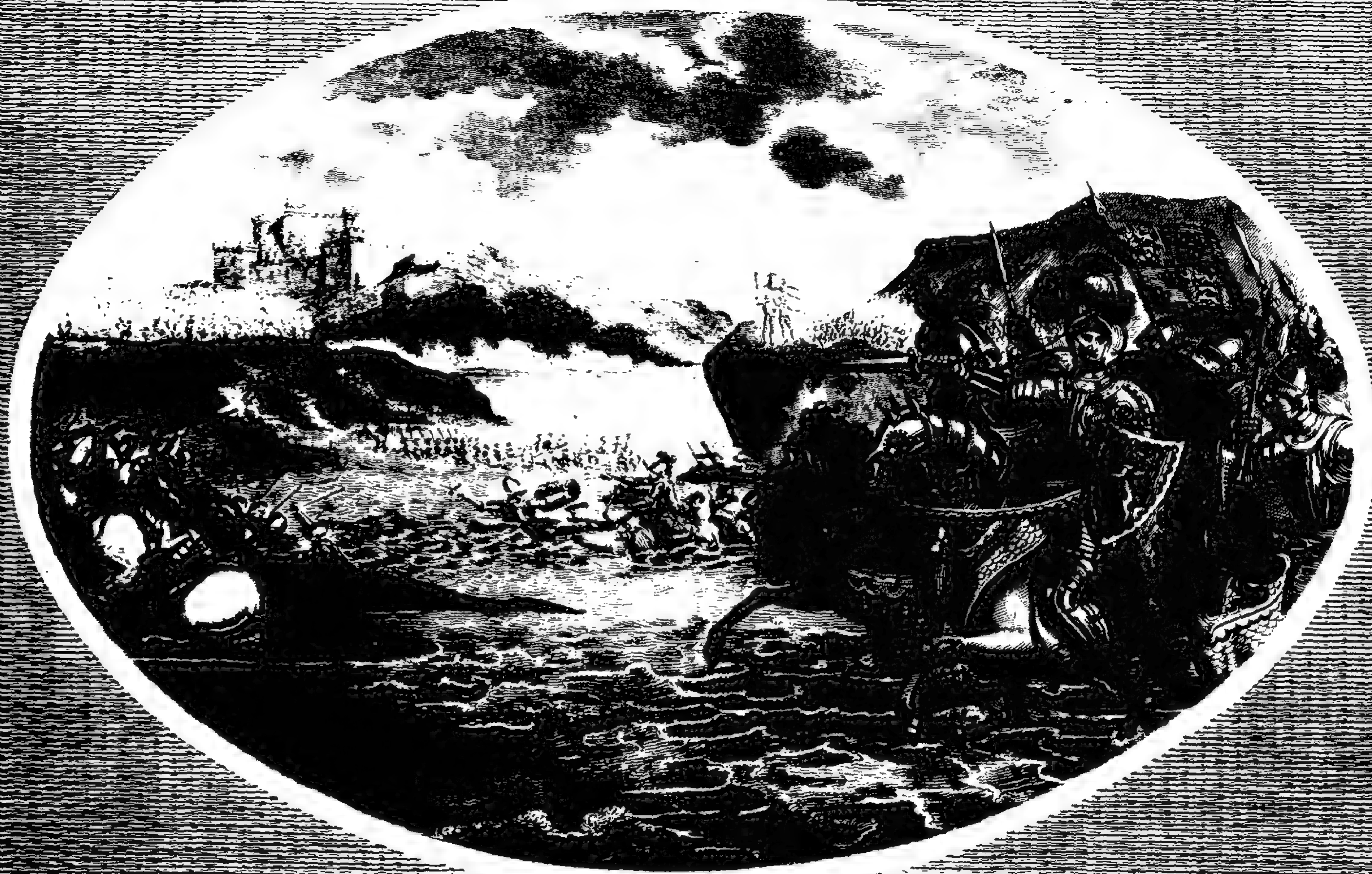
This new regent vigorously applied himself to the business of his station; and under him the duke of Burgundy and his forces were driven from Crotov in 1438 by lord Talbot: Abbeville was freed from the danger of a fort with which the duke had bricked the town; and the English, during twenty days, ravaged the country of Picardy about Amiens and Arras. After this the earl of Mortaign sent to the duke of Somerset, who had arrived at Cherbourg with four hundred archers and three hundred spearmen, and passing through Normandy into the country of Maine, he besieged the castle of Amiens, in which were three hundred Scots, besides Frenchmen. He took this castle by storm, slew all the Scots, and hung up the French, because they had been sworn to the English government; after these, and many other inferior actions of the like nature, at the solicitations of the duchess of Burgundy and the pope's legate, a grand conference was held between Graveline and Calais, in the beginning of 1439, the deputies of England and France, and those of Burgundy meeting to treat about a peace. But the English not receding from the condition, that Normandy and their other conquests should be left to them in full sovereignty, they parted without effecting any salutary measure. Still the English interest was retained in France, not only by means of king Henry's ministers and forces, but also by the remissness of king Charles, who gave his son an occasion to raise a rebellion against him; but the fear of the English power, and the wise management of some, soon produced a reconciliation. Before any great advantage could be made of this breach, the regent, the earl of Warwick, after many worthy actions, died at Rouen; and the duke of York was the second time sent over in quality of regent of France.

King Charles having disoblinded his subjects, he sought, in 1440, to redeem his credit, by attempting the recovery of Ponthoife, near Paris, which lord Clifford had not long before surprized by a stratagem; and accordingly he sat down before it with ten or twelve thousand men, while lord Clifford made a brave defence within. The duke of York, lately landed in Normandy as regent, assembled his chief forces, consisting of less or eight thousand men, and offered the king battle; but he kept himself within his trenches. The regent, eager of present action, unexpectedly passed the river Oise, which run between the two camps. This caused king Charles to remove with precipitation, the duke having gained the spoil of the French king's camp, reinforced Ponthoife, and attacked a fortress where king Charles had left three thousand men to maintain the appearance of a siege. But it was just as much advantageous to pursue the king who was retired at Poissie; where the duke again provoked him to the field. King Charles finding the hazard unequal, endured the bravado; so that the duke was restrained to return to his main charge in Normandy. King Charles fell into such obloquy and contempt with his subjects by this dishonourable retreat, especially with the Parisians, that if he had not a second time attempted and prevailed against Ponthoife, it might have endangered his crown; for a faction was then ready to take advantage of any misconduct. He therefore returned with speed to the siege, and took it by a general assault, with great loss on both sides. The

\* Though king James was a virtuous prince, yet this horrid murder is by some historians accounted as a just and deserved punishment upon him, for his voluntary breach of his homage, oath, and fidelity made to king Henry VI. at the time when he was set at liberty after his long captivity in

England. And here an Italian author makes this remark upon the Scotch history, that among the numerous race of kings in that nation, about one half of the number met with untimely deaths.





*The Duke of Burgundy and his forces driven from the Siege of Cretey by the Gallant behavior of Lord Talbot.*

Engraved by W. J. Stothard. From the original in the possession of the Duke of Devonshire.



king was one of the first that entered at the breach, choosing to be rather thought rash than timorous; by which exploit he re-established his reputation, and gained the applause of his people.

Both sides began by this time to grow weary of the war; and the state of England under king Henry required some rest. Commissioners for a treaty, therefore, met at Calais, where nothing was concluded but the freedom of Charles duke of Orleans, for a ransom of three hundred thousand crowns, after he had been prisoner in England about twenty-six years, ever since the famous battle of Agincourt, where he was taken. The duke of Burgundy was a main agent as to his enlargement, desiring to secure his own greatness by acts of beneficence; this high-born prince, for the murder of his father, being naturally the head and spring of that unfortunate feud that had raged between the houses of Burgundy and Orleans. The duke of Gloucester prudently foreseeing the dangers likely to ensue upon Orleans' liberty, strongly opposed it, but without effect\*. This great duke had no better success when he set about the reformation of England, in 1441, which suffered much from the mismanagements of the cardinals of York and Winchester, especially the latter; for though the duke was governor of the king, and protector of the realm, yet the cardinal of Winchester, with the other, acted many things without the consent of the king or him; at which being greatly offended, he declared to the king how much the cardinal and the archbishop had offended both his majesty and the laws of the nation. The duke's complaint was drawn up in twenty-four articles, which chiefly imported, that the cardinal of Winchester had continually, through his ambitious desire of surmounting all others in honour and dignity, sought to enrich himself, to the great damage of the king, as not only defrauding him of his treasure, but also practising things highly prejudicial to his affairs in France, particularly by freeing the king of Scotland upon such easy conditions, that his majesty became a great loser. Though these things were heard and examined before the council, yet the cardinal found many friends, and afterwards effected the duke of Gloucester's ruin.

Still the miseries and calamities of France continued. The county of Amiens was ravaged by the English under the lords Willoughby and Talbot in 1442; the regent and the duke of Somerset marched into Anjou, where they loaded their carriages with plunder, and returned into Normandy: after which the duke of Somerset parted from the other; and performed several exploits in and about Bretagne. Dieppe in Normandy being besieged by the English, was relieved by the dauphin, to the great loss of the former; while the French king gained some advantages in and about Gascony. During these variable transactions, John lord Talbot, lately recalled into England, was for his approved courage and wisdom, both in England and France, as well in peace as war, created earl of Shrewsbury, and with a body of three thousand men sent over again into Normandy, for the better defence of that country. Not long after the countess of Cominges dying, the king of France and the earl of Armagnac became violent competitors for the inheritance. The earl took possession in 1443, but fearing the king of France's greatness, offered his daughter in marriage to the king of England, with a large portion in money; promising also to deliver full possession of all such towns and castles, as were by him or his ancestors detained in Gascony, and had been formerly conquered by king Henry's predecessors. The ambassadors for this affair were well received by king Henry, and honourably sent back: after whom were sent Sir Edmund Hall, Sir Robert Rois, and others to conclude the affair; by whom the young

lady was by proxy affianced to king Henry. But the king of France disliking this match, sent the dauphin with a powerful army, who took the earl prisoner, with his youngest son, and both his daughters, and gained the counties of Armagnac, Louverne, Rouvergne, and other parts, chasing the bastard of Armagnac out of the country; by which means the consummation of the marriage was deferred, and never effected.

The affairs of Europe being much disturbed by these wars, the kings of Spain, Denmark, and Hungary, became mediators for a peace between the two kings of England and France. Ambassadors on all sides were sent, many meetings were held, and many proposals made; but in conclusion only a truce for eighteen months was agreed on†. During this negotiation, De la Pole, earl of Suffolk, a great favourite, and one of the commissioners for this peace, exceeded his commission; for, without acquainting his associates, he treated of a marriage between the king of England and Margaret, the daughter of Reyner, duke of Anjou, and niece to the queen of France. This Reyner now styled himself king of Sicily, Naples, and Jerusalem; and the earl of Suffolk was so active in this affair, that it brought the aspersions of bribery upon him; and without his master's warrant he proceeded so far, as to appoint an interview between the two kings, which was to be held betwixt Rouen and Chartres. Upon the return of his commissioners, the earl of Suffolk set forth the beauty and qualifications of the proposed bride, and the benefits of peace that would redound to the kingdom by this match. The king and many others were easily induced to credit the relation, but the duke of Gloucester opposed it, partly because it was a manifest injury to the earl of Armagnac's daughter, to whom the king had been solemnly affianced; which match was honourable and advantageous; and partly because the latter brought nothing with it but loss and dishonour, as the delivery of the dukedom of Anjou and county of Maine, bulwarks to Normandy, which now ought specially to be retained in order to conclude a lasting peace with France. King Charles understanding that Henry had consented, he sent over the count of Vendôme and the archbishop of Rheims, who concluded the contract; and the more to honour this match, king Henry created three dukes and one marquis, which latter was the earl of Suffolk, who, for his further honour, was made his deputy to celebrate the formality of the nuptials, and bring the bride to England.

All things being in readiness, the new marquis went over to France, with his wife, and several ladies, and gentlemen, with letters from the bride's father, who, though he was rich in titles of imaginary kingdoms, was not able to send her honourably to her husband; so that all the charge, which was very great, fell to king Henry's share. The noble company being arrived at Tours, the marquis married the lady in the name of his master, in the presence of the king of France, the queen, and a numerous train of princes and noblemen, among whom were the dukes of Orleans, Calabria, Alençon, and Bretagne; and the nuptials were solemnized with magnificent feasts and tournaments. The lady was now conveyed in great state to England, and at Southwick in Hampshire was solemnly married to king Henry at the abbey of Titchfield, on the 22d of April, 1445. Thence she removed to London, being met in a very pompous manner by the duke of Gloucester, and others of the nobility; and the famous poet John Lydgate, monk of St. Edmundsbury, composed the speeches for such triumphant receptions as were made upon her entrance into the city. A few days after, on the 30th of May, she was crowned queen at Westminster with the usual solemnities. Polydore

\* The reasons which the duke of Gloucester made use of on this occasion appeared to him so weighty, that he required to have them registered, that they might remain on record for a

testimony of the discharge of his duty.

† This truce was concluded at Tours on the 28th of May, 1444.



Vergil gives no improper character of this queen, when he says, she was one sufficiently provident, ambitious of glory, abounding in discourse, counsel, officiousness, and masculine courage; in which appeared much ingenuity, vigilance, and care.

France had for above thirty years suffered all the convulsions and calamities of war, both civil as well as foreign; but those miseries seemed now to be transferred by gradual steps to England, and from the year 1446, began the apparent forerunners of the nation's misfortune. In a short time all the king's affairs were governed by the queen and her council, to the great detriment of the realm, and the no less obloquy of the queen, who thereby became exposed to many false reports. All which miseries, says Fabian, arose from breach of the promise made by the king to the earl of Armagnac's daughter, as most writers agree. This, as he adds, will in some measure appear by the loss of Normandy, and the rest of France, the division of the lords within this kingdom, the rebellion of the commonalty against their prince and sovereign; and, finally, the king himself deposed, and the queen, with the prince, forced to fly the land, and lose the government of it for ever. These, and many other evils, were the product of the succeeding times. However, still some care was taken about the affairs of France, and the parliament granted supplies of money to carry on the war upon the expiration of the truce, which had been prolonged, at several times, till April 1, 1449. The duke of York was recalled from his regency, and the duke of Somerset was sent in his place, with such provisions as were reputed competent.

The protector, the duke of Gloucester, felt the first fatal blow of the evil that was come upon England, to root out her nobility. This duke had been a great opposer of the late marriage, and was much hated by the queen and her faction, as the only man, who, by his prudence, as also by the honour and authority of his birth and place, seemed to hinder that sovereign power which they pretended to settle in the king's person, but designed indeed, as is usual, under weak princes, to reign themselves in another's name. The marquis of Suffolk, and several of the nobility, at the time of a parliament held at St. Edmundsbury, on the 10th and 11th of February, 1447, were engaged to concur to his ruin; not perceiving, that by so doing they made way for the duke of York to enter, who overwhelmed them in a deluge of blood. Whether they had any real fear of Gloucester himself, lest perhaps he should take revenge upon some particular persons among them, is uncertain; though it seems probable enough, that they had. Besides the duke's frequent contests with the cardinal of Winchester, and several others, there were some former accidents that concurred to make way towards his ruin. For about five years before, Eleanor, his dutchess, was convened for witchcraft and sorcery, and afterwards indicted for treason before the earl of Huntingdon, Stafford, Suffolk, and Northumberland, and other lords and judges; of which crime she was appealed by one Bolingbroke, an astronomer, and Thomas Southwell, a canon, which last was charged with saying masses over certain instruments, by which the astronomer should practise necromancy against the life of the king. These being taken, accused her as an accessary, and one who had desired the assistance of their art to know her fortune; and part of this she confessed, for which she was put to public solemn penance in London, upon three several days, with extraordinary shame to her person; and after that she was committed to perpetual imprisonment under the care of Sir Tho-

mas Stanley. The duke of Gloucester, her unhappy lord and husband, whom, by love potions, she was said to have enchanted, being provoked with this reproach, might reasonably be supposed to have stirred in this affair. However it was, his destruction certainly borrowed countenance from that opinion. The duke therefore being come to attend at this parliament at St. Edmundsbury, in the second day of the sessions he was arrested for high treason by lord Beaumont, constable of England, the duke of Buckingham, and others, and all his followers taken from him, whereof thirty-two were committed to several prisons; and the day after his imprisonment he was found murdered in his bed. Yet he was exposed the same day, with a design to have it thought he died of a palsy or imposthume, though all that saw his body, perceived that he died a violent and unnatural death. His corpse was conveyed the same day to St. Alban's, and there interred. Five of his servants being condemned to be drawn, hanged, and quartered, the marquis of Suffolk, to effect popularity, brought their pardons, and saved their lives\*.

Such was the end of this great prince, who, notwithstanding his body was exposed, and many crimes pretended, was, by the people of England, thought to be doubly murdered as it were, in his reputation, as well as in his person. His death was much lamented by the whole kingdom, from whom he deserved the surname of Good, for he was a lover of his country, a friend to good men, a protector to the learned, of which himself was one, and so great an encourager of them, that he built the divinity schools at Oxford; a work worthy to be admired in all respects. His main opinion concerning the government of king Henry's French dominions, was generally opposed by the cardinal of Winchester, and some others, who altogether persuaded to peace; but the duke, insisting upon the honour and majesty of the English name, was a professed enemy: from which fountain of divided councils flowed innumerable inconveniencies. Though he had many virtuous qualifications, yet he had been blamed for incontinency and ambition, one or both of which formerly caused a dangerous breach with the duke of Burgundy. After him the title of Gloucester was reputed ominous, for the four last dukes of Gloucester came to violent ends†. The death of the present duke, proved the queen, who was especially concerned in it, not to have been so careful or politic, as common reason seemed to require of her; for while he lived, his authority and near relation to the crown, would easily have stifled the duke of York's claim: and here were the first seeds sown between the house of Lancaster, whose badge was the red rose, and the house of York, who gave that of the white. And now, says Polydore Vergil, good men, apprehensive of their own safeties, forsook the court, into whose places succeeded many, who, seeking their own interest, opened way for new factions. The duke of Gloucester was soon followed by the cardinal of Winchester, the other chief counsellor of the nation; so that the whole frame of the government was laid upon the queen, and such favourites as the king, by her recommendation, approved of. We are assured, that when this rich prelate lay upon his death-bed, he exclaimed, "Why should I die that have so much wealth? If the whole kingdom would save my life, I am able, by my policy, to get it, or, by my money, to buy it. Will not death be bribed, nor money do any thing?" Being dead, he was succeeded in his bishopric by William Wainfleet, so called from the place of his nativity in Lincolnshire, though his real name was Patin. He founded Magdalen college in Oxford.

\* By a pardon granted to one of his servants, may be seen the pretence made for committing the murder, namely, "he was one of the many traitors who came with the duke of Gloucester to destroy the king, and set his wife Eleanor at liberty."

† Thomas, son to Edward III. was strangled at Calais; Thomas Spencer, earl of Gloucester, beheaded at Bury; Humphrey, the present duke, died as now related; and Richard, duke of Gloucester, afterwards slain in battle.



The marquis of Suffolk, now the chief favourite, was created a duke, June 2, 1448, which rendered him a more conspicuous mark of envy than ever, beyond even the protection of the king or the queen. And now the affairs of France, where Somerset was regent, were neither duly inspected, nor the governors of the country well advised; but the king and realm of England, much more than France, lay exposed to the pernicious designs of Richard, duke of York. He, by an error of the state, being made great, and grown stronger by affected popularity, perceiving the king to be a ruler and not to govern, began secretly to declare his title to the crown to some of the nobility, and also to the governors of several cities and towns. This attempt was so secretly carried on, that his provision was ready before his intention was disclosed. The public state of affairs seemed to favour this conspiracy: there was a milder king than England then deserved; a council out of favour with the people; numerous losses and dishonours abroad; and a turbulent and unsettled condition of affairs at home. Or all which, the duke of York made a pernicious use, cherishing the popular aversions, without seeking to redress any evils, but representing them worse than they really were, only to bring about his ambitious purposes. His removal from the regency of France did not a little disoblige him, because the duke of Somerset gained it from him; but it was not long before Somerset's ill management of that trust, and the declining fortune of the English, gave him occasion to rejoice at the fall of his dreaded enemy, which, in short, was thus: during the truce between England and France, Sir Francis Surienne, a knight of Arragon, serving under the regent, surprized the city of Fougères, belonging to the duke of Bretagne, where he met with a booty of above sixteen hundred thousand crowns. Upon which reparation and restitution was demanded; but the duke of Somerset a proud man, contrary to good discipline, cherishing his soldiers in their riots and disorders, wilfully neglected the justice of nations in that point. After six months delay, in 1449, the duke of Bretagne began to revenge this injury, and, by the French king's consent, surprized Pont de L'Arche, and town after town, so many and so fast, that king Charles, after he found no restitution would be made, uniting his forces, soon became master of Rouen itself, of Caen, Bayeux, and indeed of all other places belonging to the English in those parts, to the great dishonour of the duke of Somerset and the English nation. And thus was all Normandy regained by the French, or rather, as Mezeray says, helped to recover itself, in one year and six days; after it had continued in the possession of the English above thirty years from the conquest of it by Henry V. In this dukedom were a hundred strong towers and forts, all tenable and of consequence, besides those destroyed in the wars; and it also contained one archbishopric and six bishoprics.

After the loss of Normandy, the calamities of England began in 1450 to discover themselves more openly than ever: for, while the French triumphed in their new acquisitions, three cruel enemies, among many others, grievously urged on the ruin of the nation at home. One was presumption in governing, by some that were most unfit to rule, as the queen with her private counsellors and favourites; next an inveterate malice and pride, as well as insatiable avarice in the states, both spiritual and temporal; and, lastly, the general discontent of the people, who began to sink under the tedi-

ousness as well as weight of their burdens. These finding that by misgovernment all things were running towards confusion, as well within the realm as without, they began to exclaim against the duke of Suffolk, charging him as the only cause of the delivery of Anjou and Maine, the chief procurer of the duke of Gloucester's death, the very occasion of the loss of Normandy, the devourer of the king's treasure, the remover of good and virtuous counsellors from about the prince, and the advancer of vicious persons, and such as were enemies to the public. Hereupon the queen apprehending not only the duke's destruction, but also her own confusion, caused the parliament, which had met at London, to be adjourned to Leicester, thinking there to suppress all the malice and ill opinions conceived against the duke and herself. At that place, however, few of the nobility would appear; therefore the parliament was again adjourned to Westminster, where there was a full appearance. In this session the commons drew up many articles of impeachment against the duke of Suffolk, consisting of several crimes, as well treason as less misdemeanors; most of which he denied. But when he was charged with making the unhappy marriage for the king, and the loss of Anjou and Maine, he alledged, that the very next parliament after the consummation of the match had so well approved of it, as to vote him rewards for his service. But, notwithstanding all his defence, the queen justly doubting some commotion if he passed with impunity, caused him to be committed to the Tower: where remaining about a month, he was again delivered, and restored to the king's favour; which so displeased the people, that if extraordinary care had not been taken, innumerable mischiefs might have happened. For the common people, in several places of the kingdom, assembled in numerous bodies, and chose a captain for themselves, whom they called Blue-Beard; but before they had performed any enterprize, their leaders were apprehended, and the matter pacified without any further damage.

After these outrages were allayed, the parliament was adjourned to Leicester, where the king and queen appeared in great state, and with them the duke of Suffolk as chief counsellor. The house of commons not forgetting their old resentments, petitioned the king, that all such persons as consented to the delivery of Maine and Anjou, might be duly punished. And as privy to that fact, they accused the duke of Suffolk as principal, with John, bishop of Salisbury; Sir James Fines, lord Say, and divers others. The king perceiving that no common methods would appease the fury of the people, to pacify their inveterate hatred, he first removed lord Say from being high-treasurer, and some others of the duke's adherents from their offices and places; and after that banished the duke himself for five years, as being the present annoyance of the nation. But he was now pursued by a more inevitable vengeance from above; for embarking in Suffolk for France, he was engaged by a vessel of force belonging to the earl of Exeter, taken, and brought into Dover road, where his head was struck off in a cock-boat, and his body ignominiously thrown upon the shore; whence it was taken by one of his chaplains, and buried in the college of Wingfield in Suffolk\*.

The death of this minister was very prejudicial to the king, who greatly stood in need of his service and support; and this circumstance much animated those who were of the duke of York's faction, who now spared no pains to render the king despicable, and the

\* Such was the remarkable end of William de la Pole, duke of Suffolk; a person of very considerable abilities, who had warred in France forty-four years without intermission, during seventeen of which he never saw his own country. When he was taken prisoner, his ransom cost him twenty thousand pounds, though then he was only a knight; he was of thirty years standing of the Order of the Garter; his father was slain at the siege of Harfleur, his eldest brother at Agincourt, No. XXXI.

and his two younger in the same wars; so that it cannot be denied, but that his prince and country did owe much to him, since he spent his life in the service of the one, and his reputation in the service of the other. But after all, suffering himself to be guided by a prodigious ambition, he fell into two dreadful errors: his making of a state marriage, not only pernicious in itself, but contrary to an express contract before; and his contributing towards the worthy duke of Gloucester's murder.



queen odious. They also insisted upon the duke's brave management in Ireland, where at present he resided as governor, and where by his wisdom and valour he had, in a manner, tamed a savage people, and reduced them to that discipline and obedience, that he thereby shewed how much England wanted such a king. These insinuations were not only privately whispered, but publicly dispersed: and every man had the vanity to report them abroad, to shew their wisdom, and their affection to the public weal. The duke of York before the death of Suffolk had wrought the end of Adam Molines, bishop of Chichester, and lord privy-seal; for, fearing that a man of his integrity might oppose his designs, he caused him to be assassinated by fishermen at Portsmouth, that he might be thought to be slain by the outrageous commotion of that lower sort of people. But these things tending more to the ruining than the raising of his projects, he designed to begin his work with some popular sedition, which precipitating the rebels into a crime unpardonable, and the fear of punishment making them obstinate, he might use them either collected or diffused, as occasion should serve. For that end the common people of Kent were excited to take up arms, under the conduct and command of Jack Cade, who had formerly been a servant to Sir Thomas Dagre, a Suffex knight, but having killed a woman with child, abjured the land and resided in France.

This Cade was a native of Ireland, and a man of excellent courage. He took the name of John Mortimer; intending, as is supposed, to pass himself for a son of that Sir John Mortimer, who had been sentenced to death by parliament, and executed, in the beginning of this reign, without any trial or evidence, merely upon an indictment of high treason given in against him. On the first mention of that popular name, the common people of Kent, to the number of twenty thousand, flocked to Cade's standard, and he excited their zeal by publishing complaints against the numerous abuses in government, and demanding a redress of grievances. The court, not yet fully sensible of the danger, sent a small force against the rioters, under the command of Sir Humphrey Stafford, who was defeated and slain in an action near Sevenoak; and Cade, advancing with his followers towards London, encamped on Blackheath. Though elated by his victory, he still maintained the appearance of moderation; and sending to the court a plausible list of grievances, he promised, that when these should be redressed, and when lord Say the treasurer, and Cromer, sheriff of Kent, should be punished for their malversations, he would immediately lay down his arms. The council, who observed that nobody was willing to fight against men so reasonable in their pretensions, carried the king, for present safety, to Kenelworth; and the city of London immediately opened its gates to Cade, who maintained, during some time, great order and discipline among his followers.—He always led them into the field during the night-time; and published severe edicts against plunder and violence of every kind: but being obliged, in order to gratify their malevolence against Say and Cromer, to put these men to death without a legal trial, he found that, after the commission of this crime, he was no longer master of their riotous disposition, and that all his orders were neglected. They broke into a rich house, which they plundered; and the citizens, alarmed at this act of violence, shut their gates against them; and being seconded by a detachment of soldiers sent them by lord Seales, governor of the Tower: they repulsed the rebels with great slaughter. The Kentishmen were so discouraged by the blow, that upon receiving a general pardon from the primate, then chancellor, they retreated towards Rochester, and there dispersed. The pardon was soon after annulled, as extorted by violence: the price of a thousand marks was set on Cade's head, and he was killed by one Iden, a gentleman of Suffex. His body was brought to London, where he was beheaded and quartered; his head being placed on London Bridge, and his quarters being sent to divers places in Kent.

Many of his followers were also capitally punished for their rebellion.

The Kentish rebellion being thus pacified and ended, far greater and more dangerous troubles succeeded.—These had their source from Richard, duke of York, the true son of that Richard whom Henry V. had created earl of Cambridge, and laden with wealth and favours; but as no bounty or benefits can change a treacherous disposition, so he conspired the death of his benefactor Henry V. as the duke of York, his son, laboured to depose the present king Henry, his great adversary. The humours of the people were in the last commotion not obscurely discovered; and the commonwealth had really some enormities, through the mismanagement of great officers, but yet the malady was far less pernicious than the remedy. Upon intelligence of which, the duke of York came suddenly out of Ireland in 1451, and to begin his usurped authority, he apprehended John Sutton, lord Dudley, Reginald, abbot of Glaftenbury, and another, and imprisoned them in his castle of Ludlow. Edmund, duke of Somerset, after Suffolk's death, was the person who most supported the king's interest by his vigilance, hazards, and good counsels, endeavouring, by all methods, to clear the realm from factions, and to preserve the kingdom in rest and quiet. York seeing this, soon found that Suffolk perished in vain, if the same favours were conferred upon Somerset; against whose person he had a particular pretence of quarrel, because the city of Caen in Normandy, the duke of York's own charge, was by him delivered to the French, when the English affairs became desperate in those parts; Sir David Hall, the lieutenant to the duke of York, not allowing it, though the renowned Talbot was present at the surrender, and became a hostage for performance of articles. The duke of York hereupon consulted with his chief friends the earl of Salisbury and his son, the earl of Devonshire, lord Cobham, and others, how he might best get possession of the throne of England, and how to ruin the duke of Somerset, from whom they were to expect the greatest opposition. At length they agreed to have recourse to arms, but to conceal the duke of York's title, they published to the world, "That they designed all honour and obedience to king Henry, but only would remove certain ill-designed men from about his person, who oppressed the people, and made a prey of the public." Which, to gain more credit, and to blind the easy king, the subtle duke, in a proclamation, used these hypocritical words: "God knows, from whom nothing is hid, I am, have been, and ever will be, his true liegeman, &c. For proof of which, I offer myself to be sworn on the blessed sacrament, and receive it as a pledge of my salvation at the day of doom." Because it was the misfortune of the duke of Somerset, that Normandy was lost during his regency, his enemies had the more opportunity to asperse him with the people, who forbore not at his return to offer him several injuries and indignities, until, upon the pain of death, they were restrained; for the breach of which proclamation, a person was beheaded in West-Cheap, in London.

Notwithstanding all the winding artifices of the duke, the king saw so much of his designs, as not to rely upon his plausible pretensions; but, by the advice of his friends, and chiefly of the duke of Somerset, he soon gathered a more numerous force than the duke, and marched against him towards Wales. The duke having notice of the king's approach, turned back, and with the utmost expedition, marched towards London; but that city, the vain hope of all rebellions, would not hearken to them. Hereupon he retired with his followers into Kent, the place of his greatest interest, and encamped at Brent-heath, near Dartford, about twelve miles from London, designing to engage the first opportunity. The king, with hasty marches, returned back, and pitched his royal standard upon Blackheath, with full purpose to teach his cousin of York more duty and loyalty. The fate of England seems here to have been determined.



determined, king Henry being more inclined to pacific measures, than risking a battle, though, from the inferiority of the duke of York's forces, it is more than probable, an end might have been put to the contest. Such therefore as secretly favoured him, fearing his overthrow, were ready to advise the king to an accommodation; and messengers were daily sent between the two armies. The duke, in a letter to the king, after his usual manner, pretended loyalty and particular injuries, as that the king's servants, Sir John Talbot at Holtcastle, Sir Thomas Stanley in Cheshire, and others in different places, were sent to be spies upon him. That by two of the Norris's, Bulkley, Guril, Bould, and other gentlemen, he was forbidden to land at Beaumaris, or to have any refreshment, affirming to him that he was against the king's intentions, and like a traitor. The king condescended to answer this letter, letting him understand, that the suspicion universally conceived of his behaviour, produced those effects; nevertheless, in regard of the humble obedience he had lately protested, he, for the easing the duke's heart, does declare, repute, and admit him as a true and faithful subject, and as his well-beloved cousin. The duke upon this advanced one step further, and wrote to the king, that justice might be done upon all persons of what degree soever, who were guilty, or reported to be guilty of treason; aiming at the duke of Somerset in particular, whom he doubted not to overwhelm with slights and calumnies, as he and his adherents had done to the duke of Suffolk.

The king promised to send Somerset to the Tower, and accordingly gave orders for his being apprehended. The duke of York was greatly surprized at this condescension, and therefore disbanded his troops, and repaired to court; where, in the king's presence, he accused Somerset with treason, and endeavoured to persuade the king, that he was the greatest traitor that had ever appeared in this country, and that he had sacrificed the interest of the nation to his own ambition and avarice. The duke of Somerset, who had been hid behind the hangings, suddenly stepped forth to answer him, and accused the duke of York in his turn, with having conspired to dethrone the king. The duke of York now perceived the danger he was in; and, with great modesty, and seeming unconcern, told the king, that he had broken his word with him, by the suggestions of the duke of Somerset, on whom he cast the baseness of the fraud. The king now dismissed the duke of York, but ordered him to be apprehended as soon as he was gone out of his presence. In all probability the duke of York's ruin would have now been effected, had not the public faith seemed engaged for his indemnity, as having come upon the king's word, and also that the hearts of the people were not well assured to the king, which by executing the duke might have been more unsettled, because they would have been ready to believe, that he was sacrificed to Somerset's resentment, and not for the safety of the nation. Upon these considerations, and the reports of the duke's son, the young earl of March, being ready with an army to rescue his father, the duke was no longer kept under restraint, as he had been by Somerset's weighty accusations; but to assure the gentle and indulgent king of his allegiance, he made a formal submission, and

solemnly took his oath to be a true, faithful, and obedient subject. This was first done in St. Paul's church, in the presence of the king and most of the chief nobility, as the dukes of Buckingham, Norfolk, and Somerset, nine earls, two viscounts, many barons, both the archbishops of the realm, and three bishops\*.

As it were to divert these domestic rancours and disturbances, two French noblemen came secretly over from Gascony into England, petitioning for an army to be sent into their country, declaring that Bourdeaux and the Gascons would readily return to the English subjection, if they were duly supported against the French king. Upon which an army was soon decreed for their reduction; and the celebrated Talbot, first earl of Shrewsbury, was made general in that enterprize; who, landing in Gascony, the fame of such a soldier caused several places to yield. The city of Bourdeaux itself secretly opened a gate to him, which the French garrison perceiving, fled out at a postern; but many being overtaken, were cut in pieces by lord L'Esparre and the English. After which new supplies and provisions arrived, under the conduct of the earl of Shrewsbury's younger son; and Bourdeaux being well manned and fortified, the earl received advice that the French had laid siege to Castillon, a place of importance upon the river Dordogne. To that place the earl directed his march; but imprudently charging the enemy upon unequal terms, he was there, together with his son, unfortunately slain†. The English fortunes and hopes which began to revive, with this commander made an unhappy conclusion, to the infinite loss of the English, and the great affliction of the Gascons, who generally disliked the French, and approved of the English, as having so long and honourably governed those dominions. Bourdeaux itself, and all other places after this, were by siege reduced again to the French king, who prosecuted those affairs in his own person. From that time forwards the English never obtained any further footing in those parts, the fortune of this attempt breaking all further combinations of the Gascons‡. Here, in a great measure, ended all the English sovereignty in France, when all the martial men were recalled from that country, to carry on more unfortunate and calamitous designs in their own. About this time a French captain scoffingly asked an Englishman, when they would return again into France? To whom the latter made this memorable answer; when your sins are greater and more crying than ours: a sentence worthy the notice of all Englishmen to this day. In this fallen estate of the English, the queen, upon the 13th of October, was delivered of her first son, who was named Edward, proving the child of sorrow and infelicity§.

After all the losses and misfortunes of the English abroad, they soon felt greater at home, and the long miseries and calamities of France seemed to be all transferred to the kingdom of England. The grand occasion and foundation of them was the subtle and ambitious duke of York, who, ever restless in his designs, now, contrary to the most religious and solemn oaths, resolved to mount the throne of England. He doubted that king Henry's known goodness and piety would render the business extremely difficult; especially since he held the crown not by any usurpation of his own, but by two successive descents from father and grand-father, and

\* The form of words to which he swore and subscribed, were long, express, and most solemn, and may be seen both in Hollingshed and Speed; which being afterwards reiterated by him at Westminster, and then at Coventry, the breach of them do manifestly display the highest degree of perjury, treachery, and treason.

† This was the end of that mighty earl in the eightieth year of his age, after he had served his king and country in the French wars twenty-four years with the highest commendations.

‡ This duchy of Gascony, or Aquitaine, was a large

province, containing four archbishoprics, fifteen earldoms, two hundred and two baronies, and above a thousand captainships and bailiwicks; so that the world may easily conjecture, how great the loss was of such a noble inheritance, which had continued English for about three hundred years.

§ As this was an unfortunate year to England, so it was no less to all Europe by the great progress of the Turks, who in the same year became masters of Constantinople, and finally dissolved the Grecian empire, after it had lasted from Constantine the Great, eleven hundred and twenty-three years.



both worthy princes. This consideration so far prevailed as to keep him long within the bounds of dissimulation; for knowing how dangerous it might prove if he made known his designs, he thought it best to make the world believe, that he acted for the public good, when he sought only his own ends. He knew also that by reviving his pretensions against the duke of Somerset, he might revenge himself of a mortal enemy, free himself from the greatest obstacle, deprive the king of his greatest supporter, and, at the same time, purchase the love of all men; the love of all the people, by ruining a man detested for the loss of Normandy; and the love of the nobility, by reducing him, who for his exorbitant authority was highly envied by most of them. But not contented with this, he forbore not to vilify king Henry's reputation, representing him to be poorly spirited, and affirming, the condition of the present times required a king that would not be governed by his wife, or any third person, but by his own judgment, a wise man and vigorous, and master of such virtues as were not to be found in him. Having by these means prepared the people's inclinations, he firmly secured to himself two extraordinary men, the father and son, the one earl of Salisbury, whose daughter he had married, and the other earl of Warwick; the first celebrated for his wise counsel, and the latter for his invincible resolution. By the assistance of these two, he caused the duke of Somerset to be arrested in the queen's apartments, and sent to the Tower in the beginning of 1454; to which he was more emboldened by reason of the king's being at that time much indisposed; whose double weakness, both of body and mind, encouraged him, and assisted his working himself into the government.

But as soon as king Henry recovered his health, understanding that malice and design were the chief causes of York's accusations, he not only set the duke of Somerset at liberty on the 5th of February, 1455, but also made him governor of Calais, with the county of Guisnes, the only place that remained to the English in France. This gave new occasions of disgust, and York finding that he had twice failed in his endeavours to ruin him, retired into Wales, where, having gathered a considerable army, he marched towards London, accompanied with the beforementioned lords, and many others. The king so much distrusted the fidelity of that city, that he would not stay for the duke's coming there, but encamped with his forces at St. Alban's, where his adversary presented himself to give him battle. The king had in his camp the dukes of Somerset and Buckingham; the earls of Ormond, Pembroke, Stafford, Northumberland, Devonshire, and Dorset, with lords Clifford, Ludley, Berners, Ross, and others; and proceeding, according to his pacific disposition, he sent to the duke to know why he came in that hostile manner. The duke, in a letter to the king, requested that he would deliver up such persons as he should name, to deserved punishment. The king, to let him know his authority, returned this answer, that he and the rest of his adherents were traitors; and rather than they should have any lord from him at that time, he himself would live and die in the quarrel. Hereupon the earl of Warwick unawares attacked the van-guard royal, and disordered it before the duke of Somerset could repair the disaster; so that the forces on both sides falling in, a bloody battle ensued; in which, on the king's party were slain the duke of Somerset himself, the earls of Northumberland and Stafford, and lord Clifford, with about five thousand of inferior rank, and about six hundred on the other side. All this was done in the space of half an hour, by the suddenness of the attack and the impetuosity of the duke of York's army. The king himself was wounded in the neck with an arrow, the duke of Buckingham and lord Seales in the faces, and lord Dorset was so wounded that he was forced to be carried away in a cart. The king's army were entirely dispersed; the king himself unguarded, fled to a poor

thatched house at a little distance; of which the duke of York having intelligence, he, with the earls of Salisbury and Warwick, the father and son, approached him on their knees, humbly craving his royal pardon; declaring, that since the common enemy was dead, they had no more to require. Upon which the king answered with fear, "Let there be no bloodshed, and I will do what you request." This first battle of St. Alban's was fought upon the 23d of May, and thirty-third year of this reign; and the bodies of the duke of Somerset, the earl of Northumberland, and lord Clifford, were buried in the chapel of that town. And now the duke of York, in the king's name, commanded a cessation from further hostilities; and, with a great appearance of reverence, conveyed the king to London, where they kept the feast of Pentecost together.

A parliament was immediately called, in which all things were decreed directly opposite to what had been enacted in former parliaments, to testify that the late government had been unjust, and the king abused by the malice of those who counselled him; Humphrey, duke of Gloucester, was declared to have been loyal to the king, and faithful to his country; all grants whatsoever, whether by patent from the king or by parliament, beginning from the first day of the present reign, were revoked as things that impoverished the crown, and diminished its lustre. And that the late insurrection might be thought meritorious, declaration was made, that the duke of Somerset, the lord chief justice Thorp, and William Joseph, were the grand occasions of it, by detaining a pacificatory letter, which, if it had been delivered to the king, would have removed the foundation of the aforesaid disorders; wherefore the duke of York, the earls of Salisbury and Warwick, and their adherents, ought not to be blamed for the future. These pretences thus passed over, they proceeded more directly to their business, by framing a triumvirate for the ground-work of their designed monarchy; York caused himself to be created protector of the kingdom; Salisbury, lord chancellor; and Warwick, governor of Calais: so that the political authority remained in the first, the civil in the second, and the military in the third; whilst Henry, king only in name, was deprived of all authority; all that had a dependance upon the king, were gradually removed from his council; and John Holland, duke of Exeter, was by force taken from Westminster, whither he was fled for sanctuary, and sent prisoner to Pontefract Castle.

The king was now in a declining condition, and the queen so suspicious, that she durst only trust those who were to run the like fortune with her husband. Yet the respect due to the king was not so much diminished, but that the young duke of Somerset, the duke of Buckingham, and other lords, resolved no longer to endure the injury done to him, and to quit themselves of the imminent danger that threatened them; for every man now saw York's designs to be the usurpation of the crown, and that his delays proceeded from the apprehensions of danger; for the king, by reason of his piety, being revered by the best, he thought he could not suddenly compass his designs without direct scandal; and being opposed by the greatest part of the kingdom, if that happened it might for the present ruin, and for the future totally lose all his hopes. After a consultation with the queen, who was of a high spirit, and impatient under subjection, a great council was called at Greenwich, in February, 1456, wherein it was resolved, that since the king was no child, and consequently needed no protector, nor was so void of understanding as to be governed by other men's discretions, therefore the duke of York should be freed from his protectorship, and the earl of Salisbury from being lord chancellor, and that he should surrender the great seal to whom the king should think fit. The duke of York could not fence himself from this sudden blow, being taken unprovided; and it was strengthened with reasons  
not



not to be disputed without a direct rebellion; so that he was now forced to endure it, but not without the disapprobation of his adherents, who were not wanting to add new fuel to the fury of the people. This they did by causing them to rise in a tumult in the city of London, occasioned by a dissention between a merchant and an Italian; but though an insurrection was made, yet matters did not succeed as they expected; for, after having pillaged many houses of the Venetians, Florentines, and other foreigners, the tumult was appeased, and the authors of it punished.

The duke of York left the court confirmed in his former designs by this new affront, while the Scots took the opportunity to enter England in one part, and the French in two other, in August 1457. The Scots having ravaged the borders, retired with their booty into their own country; the French pillaged some houses, surprized Sandwich, took several vessels, and returned to Normandy. The surprize of Sandwich, however, did them no great service, for they soon abandoned it. England was now like a body oppressed by a general distillation, malignant humours dispersed themselves in every part, and the vital faculties, the laws, had not force enough to repel them; for while one party endeavoured to destroy the other, all care of the commonwealth was laid aside, and justice and equity were evidently banished from the realm. Many quarrels happened between the nobility; particularly between the baron of Egremont and the earl of Salisbury's sons, in which a considerable number of people were slain and hurt. In the mean time, the queen, not being able to secure herself, the king, and kingdom, but by the ruin of the duke of York, and the two earls of Salisbury and Warwick, nor yet able to work their ruin, but by fraud and stratagem, caused the king to go to Coventry, under pretence of passing away his time in hunting and hawking, and of changing the air. She found that London was too much inclined to support their interest, therefore feigning some grand affair, she sent for these three persons by express letters from the king, requiring their immediate presence at Coventry, to which place, without suspicion of danger, they resorted. But being admonished, by private friends, of the queen's designs against them, they, by flight, avoided that danger, which otherwise might have been fatal to them. So without taking leave, they departed from court; the duke to Wigmore in the marches of Wales, the earl of Salisbury to his castle of Middleham in the North, and the earl of Warwick to Calais. And though these three were separated in their persons, yet they continued firmly united in their interests, and kept an uninterrupted correspondence with each other.

The king was much displeased at these proceedings of the queen, as being contrary to his pious inclinations; wherefore, returning to London, he called a grand council, where, having stated the condition of the kingdom, he shewed, that the late divisions had encouraged both the Scots and the French to assault him at home, and therefore a reconciliation was necessary, which if the failings of particular men, and those of his own family were likely to obstruct, he, for his part, would forget the injuries done to himself, and would endeavour for his relations' agreement with them, who in the late contest had shed their blood; promising that the duke of York and his friends should, in this affair, have nothing to do, but barely to ask and desire. Upon this exhorting declaration, choice was made of proper persons to be sent to the chief men of both parties, many of whom had forbore coming to court since the battle of St. Alban's; and these were desired to come and treat of things necessary and expedient for the public peace. The duke of York accordingly came to London, and, with four hundred men, took up his quarters at Baynard's Castle; the earl of Salisbury, with five hundred, retired to his house called the Harbour; the duke of Exeter, lately released, and the duke of Somerset, with eight hundred more, were lodged within Temple-Bar; the

earl of Warwick, with six hundred, all in a very remarkable habit, were quartered at Grey Friars; and the earl of Northumberland, with the lords Egremont and Clifford, with fifteen hundred men, were quartered in Holborn: such was the custom of that military age. Upon the 17th of March, 1458, the king and queen came to London, and took up their residence at the bishop's palace; and Godfrey Boleyn, the mayor and ancestor to Anne, queen to Henry VIII. having five thousand men in readiness, with a competent number daily traversed the city, for the preservation of the king's peace. The lords residing within the city, held their council at Black-Friars, the other at the Chapter-House in Westminster.

After a few meetings, by the exhortations of the archbishop of Canterbury, and other prelates, the parties were induced to a communication, and afterwards to a final agreement, upon several articles in writing, in which the king himself was made the sole arbitrator of their differences. Certain satisfactions were awarded to be made by the duke of York, and his two friends, the earls of Salisbury and Warwick, upon the account of the death of the duke of Somerset, and others slain in the battle of St. Alban's. And the said duke of Somerset, the earl of Northumberland, and lord Clifford were declared true liege-men to the king at the day of their deaths, as well as the duke of York, and the earls of Warwick and Salisbury. Many other articles were made, in order to reconcile the alienated hearts and affections. The rejoicings for this accommodation were extraordinary among all good Englishmen, who, in great multitudes, thronged to the celebration of it. For, upon the 25th of March, a solemn procession was made into St. Paul's cathedral, where the king, adorned with his crown and royal robes, went in person, before whom walked the duke of Somerset and the earl of Salisbury in one rank, the duke of Exeter and the earl of Warwick in another, and so one and one of each party, till they were all marshalled: and behind the king himself advanced the queen, led by the duke of York, with the most obliging marks of satisfaction on both sides.

The affairs of the public, for a short time, seemed to have been in a peaceable and happy condition; but Providence had still reserved far greater punishments for the English nation, which were to be brought about by the head and hands of Richard, duke of York. It is not to be doubted, but a man of his profound thoughts and restless ambition, still continued his designs for the crown, notwithstanding all his varnished pretences, and only seemed to lay it aside, because he presumed the time incommodious. On the other side, the queen, who was the head and life of the contrary party, in regard of herself, her husband, and son, may probably be thought to have omitted any thing, rather than that vigilance and jealousy which former perils, and the enemy's present power, might justly keep alive in her. The thin ashes therefore which covered these glowing coals, were easily unraked and blown away, and particularly by means of this accident. While the king and many of the lords continued at Westminster, there happened, or perhaps was designed, a quarrel between one of the king's servants and an attendant of the earl of Warwick, who hurt the king's servant. Upon which his fellow-servants of all sorts, and with all kinds of weapons, in great disorder assaulted the earl himself, as he was coming from the council; in which contest many were hurt, and the earl, with great difficulty, escaped into a barge, and gained the city. The queen immediately commanded the earl to be committed to the Tower, but he foreseeing the danger, posted into Yorkshire, where he acquainted the duke of York, and his father the earl of Salisbury, of all the occurrences, with the queen's inveterate disposition, advising them to stand upon their guard, and provide against the approaching storm. The Yorkists directly charged the queen with all this as a plot laid for the earl's destruction; and Warwick hastened to Calais; and being then lord admiral,



ral, he took with him all the king's ships that were in readiness; and scouring the seas, met with five great carracks, three of Genoa, and two of Spain, and after an engagement of two days, took three of them, which he carried into Calais, about the latter end of 1458. There unloading their freight, he found it worth ten thousand pounds in staple commodities, besides the ships and prisoners. Shortly after the young duke of Somerset was sent to be governor of Calais; but Warwick refused to resign, notwithstanding the king's commands, alledging, he was constituted by the parliament. So that Somerset was rejected not only with danger to his person, but with the loss of several of his men's heads, which Warwick commanded to be struck off. These were bold proceedings in this earl; whom yet the impetuous multitude highly extolled and applauded.

The duke of York, in the mean time, and Warwick, with his father the earl of Salisbury, the triumvirate of England, carefully consulted of their affairs: Salisbury resolved, with sword in hand, to expostulate the danger and injury offered to his son at Westminster. The queen, a lady of great magnanimity and penetration, being justly sensible, that now king Henry, or the duke of York must perish, and that one kingdom was not capacious enough for both their families, actively stirred herself to maintain the possession of the crown, and advance her own son prince Edward, by ruining the other's house, whose whole building consisted of Lancastrian beneficence. Therefore she daily consulted, sent, spoke, gave, and strengthened herself with friends on all sides, especially in Cheshire; causing her son to distribute silver swans, as his badge and device, to all the gentlemen of that country, and to many others throughout England. In a short time Salisbury marched from his castle at Middleham with five or six thousand men; but James Touchet, lord Audley, having got together about ten thousand men, by the queen's order, unadvisedly encountered him upon Bloreheath, near Muckelstone in 1459. The earl of Salisbury, though not more than half as strong as the enemy, did not think proper to retreat, but resolved to make use of every means in his power to obtain a victory, which otherwise he could have no great prospect of. Lord Audley being encamped on Bloreheath, on the banks of a little river, Salisbury posted himself on the other side, as if he meant to guard the pass and hinder the enemy from making an attack upon him. Suddenly, pretending fear, he retired in the night, ordering his march so that at day-break his enemies might still see the rear of his army. This retreat, seemingly made in haste, inspired the royalists with eagerness, insomuch that they began to pass the river in disorder, imagining they had nothing to do but to pursue the flying troops of the adverse party. While in this confusion, the earl of Salisbury wheeled suddenly round upon those who had already passed the river, and charged them with such unabated fury, that the greater part of them were quickly put to the sword. They were, however, still reinforced by troops from the other side of the river, so that the conflict lasted between four and five hours; but as this could not have been done without some confusion, the royalists were at length entirely routed. Besides lord Audley himself, were slain no fewer than two thousand four hundred men; but the chief loss fell upon the Cheshire men, who wore the prince of Wales's livery. This was the second battle fought between the families of York and Lancaster, which was the circumstance that ruined both parties, though for a while it was fortunate to York's successor; but after much bloodshed, both the houses of York and Lancaster were united, and a period was put to the civil wars, which deluged this country with blood.

By this last action the earl of Salisbury opened himself a passage to Ludlow, where the head of their combination, the duke of York, employed himself in gathering forces; and being met, they concluded, that they would act no longer in clouds, but fight it out to the

last extremity. Men were drawn out of all parts with large promises of sharing in their fortunes; and the earl of Warwick, leaving his charge at Calais, with the valiant captain Sir Andrew Trollop, and a troop of select men, came to the general rendezvous of the Yorkists, at the castle of Ludlow. The king, in the mean time, assembled a great number of troops; and being attended by the dukes of Somerset and Exeter, and others of his friends, marched against his enemies. He began first with offering them a general pardon; which they utterly refused, calling it a staff of reed, or a glass buckler. Upon which the king commanded his standards to advance towards the enemy; but during this march, a letter, filled with the usual hypocritical pretences, was delivered to the king: in which, among many other insinuations, were these also: "Most Christian king, right, high, and mighty prince, and our most dread sovereign lord, &c. we sent unto your grace by the prior of the cathedral church of Worcester, and divers other doctors, and among others by M. William Linwood, doctor of divinity, who severally administered to us the blessed sacrament of the body of Jesus, upon which we all of us deposed of our said truth and duty." But the letter made no overture of any condition upon which they would yield to lay down their arms, alledging, "They would but make their way to the king for redress of abuses; and that they were constrained to stand together for their own defence, against such great courtiers and favourites as designed their destruction;" meaning, in reality, such persons whose vigilance and valour might protect and guard him from their violent practices.

The king now came in sight of his foes, when the triumviri, York, Warwick, and Salisbury, being firmly entrenched before Ludlow, designed to attack him. Upon the approach of the armies, the king caused proclamation to be made, "That whoever would abandon the duke of York should be received into mercy, and have pardon." Upon this Sir Andrew Trollop being himself deceived by the duke and his party, who pretended nothing but the king's preservation, abandoned the duke's camp at midnight, and with all his men, not only presented his service to the king, but also discovered all the duke's counsels. This extremely discouraged the duke, who resolved to betake himself to flight; but whether it proceeded from his fear that Trollop, upon whom he had much relied, should induce others to follow his steps, or any other cause, is uncertain. However, taking his younger son the earl of Rutland with him, he hastened into Ireland: the earl of Marche, his eldest son and heir, the earls of Salisbury and Warwick, with much difficulty escaped to Calais; which place, as Polydore Vergil observes, if Henry had in time taken from his enemies, they had, without question, been irrecoverably ruined. The multitude that served under the triumvirate found mercy; but their tenants were many of them executed, maimed, or, for the most part, pillaged. The town of Ludlow itself was plundered even to the walls, and the duchess of York deprived of all her goods. The cause was pursued more severely against the great offenders in the next parliament, which was held at Coventry on the 20th of November: where Richard, duke of York, Edward, earl of Marche, his eldest son; Richard, earl of Warwick; Edmund, earl of Rutland; Richard, earl of Salisbury; Alice his wife, by whose right he was earl; two or three lords, nine knights and certain others, were publicly and solemnly attainted of high treason, and their whole estates confiscated.

Thus was Henry once more absolutely king, and Somerset was made governor of Calais, who, with the lords Roos and Audley, was sent over with forces to take it from Warwick and his adherents. Their success was unfortunate; for Somerset was forced to fly, his soldiers were pillaged by Warwick's troops, lord Audley was taken into the town, and lord Roos could hardly escape. Hereupon letters were written from the court to foreign parts, desiring that no relief might be given to the traitors,



tors, who kept Calais against the king; and all men at home were forbidden to transport any provisions to that place. The duke of Somerset being at Guisnes, a neighbouring castle, daily disturbed the Calisians: but Warwick's main business was, to consult the duke of York in Ireland, who now had that kingdom at his command. But hearing that the king had certain ships lying at Sandwich, to transport supplies and succours to Somerset, that he might not leave such danger behind him, he sent Sir John Denham with a company of soldiers, who entered the haven and town of Sandwich, which being unguarded, he took lord Rivers and his son in their beds; and though the soldiers awakened, made head and wounded Denham, so as to lame him, he notwithstanding worsted them, and plundered many houses; and being favoured by the mariners, he made himself master of the king's ships, furnished with stores, and carried them into Calais. With these ships Warwick conveyed himself into Ireland to the duke of York; and in his going and coming, he was so favoured by the winds, that he spent not above thirty days in his whole voyage. The duke of Exeter was made admiral, with orders to intercept his passage; but he failed in the attempt, and many of his men deserting him, he durst not attack the earl, nor was he willing to attack the duke, upon pretence that he was of the king's blood; such was the artifice and subtlety of the Yorkists, to pretend reverence to that blood they most desired to shed. Five hundred fresh soldiers waited at Sandwich, to be shipped over to the duke of Somerset for his late conduct into England; but Warwick's troops came suddenly upon them, slew Montfort the commander, with many others, and disarmed the rest. Such was the distracted state of England, through the pride and restless ambition of one or two presumptuous men. And though nothing was more true, than that the duke of York fought the crown of England; yet nothing was more plain, than that his friends pretended the contrary: for the veneration of king Henry's piety was likely to turn greatly to their disadvantage.

The king failing thus to gain the person of the earl of Warwick, or his town of Calais, the Yorkists sent over several articles into Kent, in which they subtly complained of certain general enormities concerning injuries done to the church, and the ill administration of justice, abuse of purveyors, the king's poverty by the corruption of his officers, and other things of the like plausible nature. Where they mentioned the person of the king, they freed him from all exceptions, as being of as noble, virtuous, and righteous a disposition, as any earthly prince whatever. When they mentioned their enemies, who were the king's faithful friends, they named the earls of Shrewsbury, and Wiltshire, and lord Beaumont, as principal persons concerned in the attainders of the Yorkists at Coventry. Where they spoke of themselves and their intentions, they professed all sincerity and loyalty to king Henry, and that they only meant to come upon their guard to speak with him concerning the common good, and their own safeties; and that now they would attempt the same again in the name of the land, and not suffer such mischiefs to gain upon them. In the conclusion of these specious pretences, they had these words: "requiring you, on God's behalf, therein to assist us, doing always the duty of liege-men in our persons to our said sovereign lord, to his estate, prerogative, and pre-eminence, and to the security of his most noble person, to which we have ever been, and will be as true as any of his subjects alive; whereof we call God, our Lady St. Mary, and all the saints in Heaven to witness." With these treacherous and impious proceedings they prevailed upon the unthinking multitude; and lord Falconberg was sent over to found their affections; and shortly after the earls of Marche, Warwick, and Salisbury, landed at Sandwich in Kent, in June 1460. But the people were not the only deluded persons; for the archbishop of Canterbury, and other venerable men, believed they had declared nothing but the truth;

which, that they might do effectually, the earl of Warwick publicly made oath upon the cross of Canterbury, that they had ever borne true faith and allegiance to king Henry. The king before their arrival had quitted London, as not trusting the affections of the citizens, who hated several of his ministers, and appointed the rendezvous of his forces at Northampton, where he resided. The enemy advanced that way; and, in the mean time, their accomplices endeavoured to take the Tower of London, in which were several loyal noblemen, as the lords Seales, Hungerford, Vescie, Lovel, De la Ware, and others.

In the mean time the queen, with the king in her company, had gathered a considerable army at Northampton; and among other lords the duke of Buckingham, who no sooner arrived, but they heard of the enemy's approach, therefore passing the river, they encamped in the neighbouring fields. The earls of Marche and Warwick being denied admittance to the king's presence, proceeded to a new piece of subtlety, and ordered a cry to go through the field, "That no man should lay hands upon the king, nor the common people, but upon the lords, knights, and esquires." Early in the morning the earl of Marche, who commanded the centre, began the battle, which was obstinate, and lasted five hours, without any great inequality. At length, lord Gray of Ruthyn, who commanded a considerable body of the royalists, went over to the earl's side, and the king was defeated with the loss of ten thousand men; and being deprived of his defenders, who were slain around his person, he fell into the power of his enemies. This dreadful battle was fought upon the 9th of July, (in which the king's ordnance could not play, by reason of the rains) wherein were slain the duke of Buckingham; Talbot, earl of Shrewsbury, lord Egremont, viscount Beaumont, and many other knights and gentlemen. The prisoners were numerous. The queen, with prince Edward her son, and the duke of Somerset, fled to the bishopric of Durham. The victors being returned to London, inflicted such punishments as usually attend civil wars; among such of their adversaries as were found in the city, those who could escape had the best fortune. Thomas Thorp, second baron of the exchequer, endeavouring to escape in the habit of a monk, was taken and committed prisoner to the Tower, and after that, by the commons, beheaded at Highgate. Those in the Tower had yielded upon certain conditions, which forced lord Seales to endeavour to take sanctuary at Westminster; but being upon the Thames, he was murdered by a waterman belonging to the earl of Warwick, and his body, wallowing in blood, was stripped of all its apparel, and left to public view. Yet still the two earls of Marche and Warwick continued their usual hypocrisy to the king, now in their possession, and addressed him in this manner: "Most noble prince, be not displeased that God has granted us the victory over our mortal enemies, who, by their inveterate malice, have unjustly excited your highness to banish us from the land, and would have put us to final shame and confusion. We come not to disquiet or afflict your highness, but to please your noble person, tenderly desiring the prosperity of that and all your realm, and to be your true liege subjects as long as our lives shall endure."

In the mean time Scotland, by reason of the late affinity with the house of Beaufort, whose head was the duke of Somerset, descended from John of Gaunt, was a special support to king Henry in all his tempestuous adversities; but now that refuge was much hazarded. For king James II. partly in favour of king Henry, laid siege to Roxborough Castle, then in custody of king Henry's enemies; where going into the trenches to see the lion, a famous piece of ordnance, and the other artillery discharged, one of them burst, and with a splinter of it slew the king, and dangerously wounded the earl of Angus. This unfortunate accident happened upon the 3d of August. The queen of Scotland, nevertheless,



theless maintained the siege, and gained that place as well as the castle of Warke, both which she in revenge levelled with the ground: James III. a child of seven years of age, succeeded his father, as well to the support of the distressed English, as to the crown of Scotland. The death of the king of Scots was followed by that of Charles, king of France, which, though it was not violent, was not less strange and unusual. Being sick, some of his flatterers, to manifest their zeal, put an imagination into his head, that some persons designed to poison him; which caused him to abstain from all sustenance for several days. And when his physicians told him that his weakness proceeded from want of meat, and not from any sickness, he endeavoured to eat, but could not; for the channels through which his meat should pass were closed up; whereupon he died with hunger, and left his kingdom to his son Lewis XI.

The news of the battle of Northampton being conveyed to the duke of York in Ireland, he resolved to throw off the mask he had worn so long, and come to London, where the earls of Marche and Warwick had summoned a parliament to meet in the king's name upon the 8th of October. He alighted from his horse at the king's palace at Westminster, and entering into the house of lords, he laid his hand upon the throne, as if by that act he had taken possession of it, and, when he removed his hand, he turned to those that were by, as desirous to read his future success in their countenances; and he thought they approved of this action. But the archbishop of Canterbury standing up and asking him, if he would be pleased to go and see his majesty, he changed countenance, and angrily answered him, he knew none in the kingdom to whom he owed that duty; but, on the contrary, all men owed it to him. The archbishop going forth to acquaint the king with his answer, the duke likewise went forth, and entered the king's residence, and broke open all the doors and locks, to the great indignation of many. After this, without any reserve, he laid claim to the crown of England, notwithstanding the most solemn oaths to the contrary; and published it in open parliament, together with his pedigree. But the duke, though at first he fully designed to have deposed king Henry, and crowned himself by the 1st of November, yet, finding such astonishment and silence, he sent them his pedigree and his claim in writing, that they might consider of it; yielding, as he pretended, to submit to their determination\*.

\* The substance of the duke of York's claim to the crown of England was as follows: "King Edward III. had seven sons, Edward, prince of Wales; William, of Hatfield; Lionel, duke of Clarence; John of Gaunt, duke of Lancaster; Edmund, duke of York; Thomas, duke of Gloucester; and William, of Windsor. Edmund, the eldest, died during his father's life, and left one son, king Richard II. who died without issue, as also did king Edward's second son William; Lionel, the third son, had only one daughter named Philippa, who being married to Edmund Mortimer, earl of Marche, she had by him Roger, earl of Marche, who afterwards had two sons and two daughters, of whom three died without issue; only Anne, the sole heiress of the house, married to Richard, earl of Cambridge; the son of Edmund, duke of York; the fifth son of king Edward III. which earl of Cambridge was father to Richard, duke of York, the present claimant. On the other side, John of Gaunt, the fourth son of king Edward III. and younger brother to Lionel, had a son named Henry, who immediately after king Richard's resignation, unjustly entered upon the throne, because Edmund, earl of Marche, son to Philippa, the daughter and heiress of the aforesaid Lionel, elder brother to John of Gaunt, was then alive; and the said Henry, son to John of Gaunt, and his successors, had hitherto held the crown of England wrongfully, because the said Richard Plantagenet, the present duke of York, was the lawful heir, as being the son of Richard, earl of Cambridge, and Anne before mentioned." This was the substance of the duke of York's title and claim, which, as to matter of genealogy, was undoubtedly true: though, in bar to this claim, king Henry's friends, without denying any part of the premises, had not a little to plead for him; and, among other things, they alleged, "That king Richard II. resigned up his crown and authority at large; and that no other making claim but Henry,

While this weighty controversy was debating, there happened this surprising accident: a crown that was hung up for ornament in the parliament-house, suddenly fell down; as likewise did another, which, for the same cause, was placed upon the highest tower of Dover Castle: this was generally believed to portend, that king Henry's reign was ended, and that the crown should be transferred from one line to another. The lords forgot not the duke's demands; and, to take the better directions, divers of them, both spiritual and temporal, with many of the commons, daily met at Black Friars, and other places, to treat of this matter, that was of such great importance. In the mean time the duke of York, would by no inducement visit the king, though in the same palace with himself, until some conclusion was made in the affair; declaring, that he was subject to no man, but only to God, under whom he had no superior. After a long debate, and deliberate consultation, among the peers, prelates, and commons, upon the vigil of All Saints, it was determined, "That forasmuch as Henry had been acknowledged king for the space of thirty-eight years and more, he should enjoy that name and title, and the possession of the kingdom, during his natural life. And if he either died or resigned, or forfeited the same by breaking or violating any point of this contract, then the said crown and dignity should immediately devolve upon the duke of York, and the lawful heirs of his body, excluding all those of king Henry." This solemn agreement was ingrossed, signed, sealed, and sworn to by the king and duke, as likewise all enacted in this parliament. On this account the king, accompanied with the duke of York, on All Saints day, rode in procession to the cathedral of St. Paul's with the crown upon his head. And upon the Saturday following, the duke was solemnly proclaimed heir apparent to the crown of England, and protector of the realm.

The active queen, now in the north, would by no means allow of this determination; therefore, when the king, at the duke of York's instigation, sent for her to repair to him at London, she relying upon the dukes of Somerset and Exeter, and other royalists, refused; and Henry being still acknowledged as king, the arms taken for his deliverance had the greater justice. The duke of York missing his expected prey, left the king at London with the duke of Norfolk and earl of Warwick; and taking with him his young son the earl of Rutland,

duke of Lancaster, son of John of Gaunt, he was admitted to the throne by the consent of the three estates of the land: that Richard, earl of Cambridge, was attainted of high-treason and executed, and his issue rendered incapable of any inheritance; that Richard, his son, now challenging the crown of England, being restored and advanced by the clemency and goodness of king Henry VI. had voluntarily acknowledged him for his lawful sovereign, and solemnly swore to the same; and that the same Richard, after that had been justly attainted for treason, and adjudged incapable of inheriting. They further alleged several acts of parliament to establish the right of the line of Lancaster; the succession of three kings, Henry IV. V. VI. the politic government of the first, the noble victories of the second, and the pious life of the third; which three kings reigns contained no less than sixty years, in which number this was the thirty-ninth of king Henry VI. who was descended from the male line, and the duke of York but from the female, which line had never been in possession of the crown." These were thought great and weighty points, and more considerable, because king Henry's person being no better than a prisoner, no act of his to establish the duke's title could bind in law or conscience; and the less, because he had a wife and a son both at liberty, and ready to free him by force of arms, or to hazard the destruction of the English name. But they who on the duke's behalf abstractedly disputed these high questions, insisted upon a rule of law, that the rights of blood are not without their speculative and remote considerations, to countenance the particulars of their cause; so that it appeared, that in monarchies, where lineal succession is the rule of inheritance, there sometimes happen as great and as indeterminate difficulties, as where election designs the successor: of which both France and England have been miserable instances.

the





*Queen Margaret in devotion receiving the Head of the Duke of York with a Paper Crown*



the earl of Salisbury, and five thousand men, he marched towards Wakefield in Yorkshire, to pursue the queen and her son, sending orders to the earl of Marche to follow with all his power. In the castle of Sandall, within view of Wakefield, the duke took up his quarters upon Christmas-eve, waiting for the increase of his army. The queen being advised of this, thought it wisdom to engage before the duke grew too strong; and thereupon advanced with an army of eighteen thousand men, led by the dukes of Somerset and Exeter, the Earls of Devonshire and Wiltshire, the lords Nevil, Clifford, and Roos, and in effect all the northern nobility. Part of the army presented itself before Sandall Castle, in order to provoke the duke to battle; who, fired with this bravado, and perhaps ignorant of his enemies' multitude, resolved to meet them, though the earl of Salisbury and Sir David Hall earnestly urged him to stay till his son the earl of Marche came up with his numerous forces: but his impetuosity could not be restrained. The queen therefore added policy and stratagem to her power, that his ruin might be inevitable; for which cause, on the last day of December, the earl of Wiltshire upon one side of the hill, and lord Clifford upon the other, lay in ambuscade to get between him and the castle; while the dukes of Somerset and Exeter drew up in open field. This design had its desired effect; for the duke issuing out of the castle, with his small army down the hill, soon found himself surrounded, and though he shewed great valour and bravery, within half an hour his whole forces were defeated, and himself, with many of his friends, were beaten down and slain. There lay dead about him Lord Huntingdon, Sir Thomas Nevil, son to the earl of Salisbury; Sir David Hall, with several knights, and others, to the number of two thousand eight hundred men, amongst whom were the heirs of many gentlemen of the southern parts, whose blood was shortly after severely revenged. The duke's chaplain, and tutor to the earl of Rutland\*, seeing the ill success, led his charge out to save him; but Lord Clifford observing his rich habit, followed, and, with a dagger in his hand, demanded who he was? The unfortunate youth struck dumb with fear, with knees, hands, and eyes, begged for mercy and pardon; and the chaplain, who by naming him thought to have saved him, told him who he was, and, that if he would save his life, he would spend it in his service; but Clifford, with dreadful imprecations declared, that as the earl's father had slain his parent, he would endeavour to extirpate his progeny, and then struck his dagger into his heart; not satisfied with this, casting himself upon the dead body of the duke of York, he cut off his head, and crowning it in derision with a crown of paper, he presented it to the queen, who ungenerously made herself merry with that ghastly spectacle. This was the fatal end of the famous Richard, who, contrary to all oaths and other obligations, had caused infinite mischiefs to the English nation; of whom it was said by the duke of Somerset, his former antagonist, "That if he had not learned to play the king by his regency in France, he had never forgot to obey as a subject in England." The earl of Salisbury, here taken prisoner, was with other prisoners beheaded at Pontefract, and their heads, together with the duke's, set upon the gates of York; while the victors triumphed and rejoiced, who not many days after bewailed their own calamity, as did the queen; or shared in the like fortune, as did lord Clifford.

The earl of Marche, son and heir to the deceased duke of York, hearing of this tragical adventure, with a mind full of grief and revenge, and an army of twenty-three thousand men, resolved to march against the queen. But he found more immediate employment; for, being informed that Jasper Tudor, earl of Pembroke, half-brother to King Henry, and James Butler, earl of Ormond and Wiltshire, had with them a great force of Welsh and Irish to intercept his march; this youthful, but brave man, whose presence and behaviour rendered him beloved of the people, resolved first to

try his fortune against those earls. He therefore suddenly turned back from Shrewsbury, and at a place called Mortimer's Cross, near Ludlow, he engaged the enemy on Candlemas-Day, 1461. The armies maintained the fight with great fury; but at length the earl of Marche obtained a complete victory, with the deaths of three thousand eight hundred of his enemies; the earls of Pembroke and Wiltshire saving themselves by flight. But Sir Owen Tudor, father to the earl of Pembroke, and husband to king Henry Vth's Queen, with several other prisoners of note, were beheaded at Hereford.

The queen on the other hand being encouraged by her late victory, marched towards London with an army consisting of Scotch, Welsh, and Irish, as well as English. But when her soldiers were once out of the Trent, they proceeded to ravage the country after a barbarous manner. Advancing near to St. Alban's, they were informed that the duke of Norfolk, and the earl of Warwick, with the king in person, were prepared to give them battle; whereupon they hastened to march through the town. But not being suffered to pass, they furiously attacked their enemies in the field called Bernard-heath, where a most obstinate battle was fought, and many of the opposite party put to flight; and the lords about the king's person, perceiving great danger, withdrew themselves; except lord Bonville, who came in a complimentary manner to the king, and declared his affection to his majesty; he was unfortunately importuned by him, together with Sir Thomas Kyriel, a Kentish knight, to stay with him; his majesty passing his royal word that there should be no injury done to them. Upon which promise they staid, but to their ruin; for the queen, hearing that the commons had beheaded baron Thorp at Highgate, without considering her husband's word, in revenge caused both their heads to be taken off at St. Alban's. There were slain in this battle about two thousand three hundred men, but none of note or name, except Sir John Grey, who the same day had been knighted with twelve others, at the village of Colney. This battle was the sixth fought in these unhappy civil wars, and the second at St. Alban's, it being upon Shrove-Tuesday the 17th of February.

And now the king was advised to send a messenger to the victors to acquaint them, that he would come to them, if it might be done with safety and conveniency; upon which the earl of Northumberland appointed several lords to attend him to lord Clifford's tent, where the queen and the young prince met him with extraordinary joy. But it was now observed, as it were in the destiny of king Henry, that though he was the most pious prince in his age, yet no enterprize of war ever prospered where he was present. At the queen's request the king honoured thirty gentlemen with knight-hood, who the day before had fought against that part of the army where he was: the young prince, now eight years of age, was also knighted. After which they repaired to the monastery, where they were received with anthems, and likewise an humble petition, to be protected from the outrages of the loose soldiers; which was promised, and proclamation made accordingly, but to small effect, for the troops of the north country alleged, "That by agreement they were to have all the spoil in every place after they had passed the Trent," and so acted like lawless people, to the great damage of the king's affairs. For about this time the queen sent commands to the lord mayor of London to send her in provisions for her men, which he obeyed; but the people opposed him, and stopped the carts at the city gates. This serves to shew how princes are deluded, when they promise themselves obedience from a dissatisfied people; and who, without fear of punishment, have already begun to disobey. The magistrate laid open all the mischiefs that might ensue, but could not prevail; for still they cried out the more, "That the city had no occasion to relieve them that came with a design to pillage it." This disobedience grew more obstinate by reason of an insolent troop of horse,



who at the same time came from St. Alban's to pillage the suburbs; and many of them hastening to Cripple-gate where the carts were stopped, and endeavouring to enter, they were beaten back, and three of them slain; to the great concern of many people; for it was feared, that the queen being in arms, and so many ways offended, would rigorously resent it. The mayor sent to excuse himself to the council residing at Barnet, and the duchess of Bedford, accompanied by lady Seales and some prelates, went to the queen with a view to pacify her. They persuaded her that some lords might be sent, with four hundred armed men, who riding about the streets might appease the tumult, and that part of the aldermen should come to meet her at Barnet, to bring her and the king peaceably into the city.

But all these designs suddenly vanished at the news of the defeat of the earls of Pembroke and Wiltshire; and that the earls of Marche and Warwick were joined, and marching towards London, with a force not easily to be resisted. This so terrified the queen, that she suddenly returned towards the northern party, where she had most friends; impolitely leaving some marks of severity and cruelty behind her. The earl of Marche on the contrary, who for his amiable qualifications was in every man's mouth and affections, hearing of the queen's retreat, marched directly to London, where, upon the 28th of February, he was received with the universal applauses of the people. On the 2d of March, the earl of Warwick, a zealous friend to the earl of Marche, mustered all his army in St. John's Fields, and having drawn them in a large ring, he read aloud to them the agreement of the last parliament, and then demanded, whether they would have king Henry, who had violated that agreement, to reign over them? They all cried out, "No, no!" He then asked, whether they would have the earl of Marche, who according to the same agreement ought to be king, to reign over them? They with a great clamour answered, "Yea, yea!" Upon which some commanders, and others of the city, repaired to the earl of Marche at Baynard's Castle, to acquaint him with what had passed; who at first seemed to excuse himself, as unable to execute so great a charge; but being animated by the archbishop of Canterbury, the bishops of London and Exeter, and the earl of Warwick, he at last consented to take it upon him. On the next morning he went in procession to St. Paul's cathedral, and after *Te Deum* had been sung, he was in great state conveyed to Westminster. There seated in the most conspicuous place of the great hall, with the scepter of St. Edward in his hand; he made a declaration of his double title to the crown: first, by descent as heir to the third son of king Edward III. Secondly, by authority of parliament, which upon the examination of the duke of York's title, had conferred the crown immediately on him and his heirs, when Henry VI. should make forfeiture of it, by death, resignation, or breach of that agreement there solemnly sworn to by them. And that this agreement was broken, the slaughter of the duke of York at the battle of Wakefield sadly manifested. Nevertheless he protested himself ready to give up the justice of his claim, rather than enter upon it without their free vote. At which, with loud applauses, they exclaimed, "King Edward, king Edward!" Transported when they found their voices were required to confirm him king, who had declared he would not receive that title without their suffrage. The formality of this second election thus passed, he went in procession to the abbey church; whence after much solemnity, and homage from the nobility present, he returned by water to the bishop of London's palace, and was immediately proclaimed king throughout the city by the name of Edward IV. This

was done on the 4th of March, after king Henry, now near forty years of age, had passed over an unfortunate and inglorious reign of thirty-eight years, six months, and four days.

Thus ended the reign of Henry VI. of whom it is observed, that never any person came to be king so soon after his birth, nor ceased to be king so long before his death: the former being but eight months, and the latter twelve years. It has also been truly observed, that all the sons of king Edward III. as well as himself; all the sons of John of Gaunt, and all the sons of Henry IV. were complete heroes; men the most renowned in their age for personal strength, courage, and bravery: but when this heroical disposition was at the height in Henry V. how it came to degenerate in Henry VI. is not easily accounted for. As to his person he was comely and well-proportioned, and was remarkable for his piety; no king ever shewing more zeal for the service of God than himself. He had one immunity peculiar to himself, that no man could ever be revenged on him, because he never offered any man an injury. He was so chaste and modest, that, when in a public masquerade, some ladies presented themselves before him with their breasts uncovered, he immediately rose up, and exclaimed against their behaviour; so merciful, that when he saw the quarters of a traitor over Cripple-gate, he caused them to be taken down, declaring, he would have no Christian so cruelly treated for his sake; so free from swearing, that he never used any asseveration but *forsooth* and *verily*; so patient, that to one who struck him when he was taken prisoner, he only said, "You wrong yourself more than me, to strike the Lord's anointed:" so devout, that on the chief holy days, he used to wear sackcloth next his skin: and so innocent in general, that his confessor declared, that for ten years space he never found any thing he had said or done, for which he might justly enjoin him penance. And herein consisted his happiness, that he was the only prince perhaps in the world, that never distinguished between adversity and prosperity; being so intent upon his devotion, as to think nothing adversity that did not interrupt that. But this brought him under the sole power of others, and made him fitter for a priest than a king; and had his virtues been as useful to the public, as those of his father, neither the duke of York nor his son durst have contended with him for his kingdom. Not to exclude Providence, the people's inclination was then the only thing which took the kingdom from one, and gave it to the other; which may teach princes, that long possession without the practice of princely actions, is not sufficient for their conservation. In him was confirmed that wise sentence, "Woe to that nation whose king is a child," and rather shews it means in government more than in years; for as long as he continued a child in years, his kingdom flourished by the care of his uncles: but when he ceased to be so in years, and continued to be so in government, all things ran to ruin both in France and in England; and a great part of his time was a reign of disgrace, misery, and bloodshed. And notwithstanding his extraordinary piety, his manifest breach of faith to the earl of Armagnac ought not to pass uncensured by a Christian historian; and the great Raleigh observes, that as he refused the daughter of that prince, by which he might have defended his inheritance in France, and married the daughter of Anjou, by which he lost all that he had in that country; so in condescending to the unworthy death of his uncle the duke of Gloucester, the main pillar of the house of Lancaster, he drew on himself and his kingdom the greatest loss and dishonour, that ever it sustained since the Norman conquest.



## A P P E N D I X T O B O O K V.

## No. I.

BY an act made in the fifth year of the reign of Henry IV. it was made felony to cut out any person's tongue, or put out his eyes. These were crimes which, the act says, were very frequent. This savage spirit of revenge strongly denotes a barbarous people; though, perhaps, it was somewhat increased by the prevailing factions and civil commotions of the times.

The first commission of array to be met with in English history, was issued in the reign of Henry V. In this king's reign also, the military part of the feudal system, which was the most essential circumstance of it, was entirely dissolved; and could no longer serve for the defence of the kingdom. Henry, therefore, when he went to France, in 1415, empowered several commissioners to take, in every county of the realm, a review of all the freemen able to bear arms, to divide them into companies, and to keep them in readiness for resisting an enemy. This was the era when the feudal militia in England gave way to one which was, perhaps, still less orderly and regular.

The most remarkable law, which passed in the reign of Henry VI. was that for the due election of members of parliament in counties. After the abolition of the feudal system, the distinction of tenures was in some measure lost; and every freeholder, as well as those who held their lands of mesne lords, as the immediate tenants of the crown, were by degrees admitted to give their votes at elections. This new mode was indirectly confirmed by a law of Henry IV\*. It gave right to such a multitude of electors, as was the occasion of much tumult and disorder. In the eighth and tenth years of the reign of the said king Henry VI. laws were enacted, limiting the electors to such as possessed forty shillings a year in land, free from all burdens within the county†. This sum was equivalent to about twenty pounds a year of our present money. The preamble of the statute respecting elections is remarkable: it is, "Whereas the elections of knights have of late, in many counties of England, been made by outrages and excessive numbers of people, many of them of small substance and value, yet pretending to a right equal to the best knights and esquires; whereby manslaughter, riots, batteries, and divisions among the gentlemen and other people of the same counties, shall very likely rise and be, unless due remedy be provided in this behalf," &c. By these expressions we may perceive, what an important matter the election of a member of parliament was now become in England: that assembly was beginning in this period to assume great authority: the commons had it much in their power to enforce the execution of the laws; and if they failed of success in this particular, it proceeded less from any exorbitant power of the crown, than from the licentious spirit of the aristocracy, and, perhaps, from the rude education of the age, and their own ignorance of the advantages resulting from a regular administration of justice.

## No. II.

COMMERCE in the reign of Henry IV. was very little understood or engaged in. In this king's reign a great jealousy prevailed against *merchant strangers*, i. e. foreign merchants; and many restraints were, by law,

imposed upon them, viz. that they should lay out in English manufactures or commodities, all the money acquired by the sale of their goods; that they should not buy or sell with one another, and that their goods should be disposed of three months after importation‡. The last clause was found so inconvenient, that it was soon after repealed by parliament.

In the reign of Henry VI. permission was given by parliament to export corn when it was at low prices; wheat at six shillings and eight-pence a quarter, money of that age; barley at three shillings and four-pence§. It appears from these prices, that corn still remained at near half its present value; though other commodities were much cheaper. The inland commerce of corn was also opened in the eighteenth year of this king's reign, by allowing any collector of the customs to grant a licence for carrying it from one county to another. The same year a kind of navigation act was proposed with regard to all places within the streights; but the king rejected it||.

## No. III.

FROM Rymer\*\* we learn, that the expence of the king's household in the time of Henry IV. amounted to the annual sum of nineteen thousand, five hundred pounds, money of that age.

The same authority †† gives us an exact and an authentic account of the ordinary revenue of the crown during the reign of Henry V. which amounted only to fifty-five thousand, seven hundred, and fourteen pounds, ten shillings, and ten-pence per annum. This is nearly the same, says Hume, with the revenue of Henry III. and the kings of England had neither become much richer nor poorer in the course of so many years. The ordinary expence of the government amounted to forty-two thousand, five hundred, and seven pounds, sixteen shillings, and ten-pence: so that the king had only a surplus of thirteen thousand, two hundred, and six pounds, fourteen shillings, for the support of his household; for his wardrobe; for the expence of embassies; and other articles. This sum was by no means sufficient; and therefore he was obliged frequently to have recourse to parliamentary supplies, and was thus, even in time of peace, not altogether independant of his people. But wars were attended with a great expence, which neither the prince's ordinary revenue, nor the extraordinary supplies, were able to support; and the sovereign was always reduced to miserable shifts, in order to make any tolerable figure in them. He generally borrowed money from all quarters; he pawned his jewels; and even the crown itself; he ran in arrears to his army; and was often obliged, notwithstanding all these expedients, to stop in the midst of his career of victory, and grant truces to his most inveterate enemies. The exceedingly high pay which was given to soldiers at that period, ill agreed with the low income of the prince. All the extraordinary supplies granted by parliament to Henry during the course of his reign, were only seven tenths and fifteenths, amounting to about two hundred and three thousand pounds‡‡. It is an easy task to compute how soon this money must be exhausted, by armies of twenty-four thousand archers, and six thousand horse, when each archer had six-pence a day§§, and each horseman two shillings. The most splendid

\* See the Statutes at Large, 7 Hen. IV. cap. 15.

† Ibid. 8 and 10 Hen. VI.

‡ 4 Hen. IV. cap. 15, and 5 Hen. IV. cap. 9.

§ See the Statutes at Large, 15 Hen. VI. cap. 2, also 23 Hen. VI. cap. 6.

|| See Cotton's Abridgement, p. 625, 626.

\*\* Tom. viii. p. 510.

†† Tom. x. p. 113.

‡‡ See the Parliamentary History, vol. ix. p. 168.

§§ From several passages of Rymer it appears, that the king paid twenty marks a year for an archer, which is considerably above six-pence a day. The price had risen, as is natural, by raising the denomination of money.



successes proved commonly fruitless, when supported by so slender a revenue; and the debts and difficulties which the king thereby incurred; made him generally pay dear for his victories. The civil administration likewise, even in time of peace, could never be very regular, where the government was so ill enabled to support itself. Henry V. owed debts till within a year of his death, which were contracted when he was prince of Wales. In vain did the parliament pretend to restrain him from arbitrary practices, when he was reduced to such necessities\*. Though the right of levying purveyance had been guarded against by Magna Charta itself, and was frequently complained of by the commons, it was found absolutely impracticable to abolish it; and the parliament at length submitting to it as a legal prerogative, contented themselves with enacting laws to limit and confine it.

From the most early times, till the reign of Edward III. the denomination of money had not been altered: a pound sterling was still a pound troy; that is, about three pounds of our present money. That conqueror was the first who made any innovation in this important article. In the twentieth year of his reign he caused twenty-two shillings to be coined from a pound troy; and in his twenty-seventh, he ordered twenty-five shillings to be coined from the same quantity. Henry V. who was also a conqueror, raised the denomination still farther, and coined thirty shillings from a pound troy†: his revenue, therefore, must have been about one hundred and ten thousand pounds of our present money, according to Hume; which, considering the difference in the price of provisions, is worth at present about three hundred and sixty thousand pounds.

## No. IV.

**JOHN HUSS.** This famous person lived at Prague in the highest reputation, both on account of the sanctity of his manners, and the purity of his doctrine. He was also distinguished by his uncommon erudition and eloquence, and performed, at the same time, the functions of professor of divinity in the university, and of ordinary pastor in the church of that famous city. A Bohemian Jesuit, who was far from being favourable to John Huss, and who had the best opportunity of being acquainted with his real character, describes him thus: "He was more subtle than eloquent; but the gravity and austerity of his manners, his frugal and exemplary life, his pale and meagre countenance, his sweetness of temper, and his uncommon affability towards persons of all ranks and conditions, from the highest to the lowest, were much more persuasive than any eloquence could be‡." Huss declaimed, with vehemence against the vices that had corrupted all the different ranks and orders of the clergy, nor was he singular in this respect; for such remonstrances were now become common, and they were generally approved by the wise and good. But Huss went farther than any of his contemporaries; and, from the year 1408, used his utmost endeavours to withdraw the university of Prague from the jurisdiction of Gregory XII. whom the kingdom of Bohemia had hitherto acknowledged as the true and lawful head of the church. The archbishop of Prague, and the clergy in general, were greatly exasperated at these proceedings, because they were warmly attached to the interests of Gregory. Hence arose a violent quarrel between the incensed prelate and the zealous reformer, which the latter inflamed and augmented, from day to day, by his pathetic exclamations against

the court of Rome, and the corruptions that prevailed among the sacerdotal order. Such were the circumstances that first excited the resentment of the clergy against John Huss. Some time after a vast number of Germans left the university of Prague, and John Huss the more openly inveighed against the corruptions of the clergy; he even proceeded so far as to recommend the writings and opinions of Wickliff, the celebrated English reformer, of whom we have before spoken. Hence an accusation was brought against him in 1410, before the tribunal of John XXIII. by whom he was solemnly expelled from the communion of the church. This excommunication he treated with contempt, and, both in his conversation and in his writings, he laid open the disorders that preyed upon the vitals of the church, and the vices that dishonoured the conduct of its ministers; and the fortitude and zeal he discovered in this matter, were almost universally applauded. This eminent man, whose piety was truly fervent and sincere, though his zeal perhaps was rather too violent, and his prudence not always equally circumspect, was summoned to appear before the council of Constance. In obedience to this order, and imagining himself secured from the rage of his enemies by safe-conduct, which had been granted him by the emperor Sigismund, both for his journey to Constance, his residence in that place, and his return to his own country, John Huss appeared before the council, to demonstrate his innocence, and to prove that the charge of his having deserted the church of Rome was entirely groundless. And it may be with truth affirmed, that his religious opinions, at least in matters of importance, were conformable to the established doctrine of the church in that age. He declaimed, indeed, with vehemence, against the Roman pontiffs, the bishops, and the monks; but this freedom was looked upon as lawful, and was used every day in the council of Constance, where the tyranny of the court of Rome, and the corruption of the sacerdotal and monastic orders, were censured with severity. The enemies, however, of this good man, who were numerous both in the kingdom of Bohemia, and also in the council of Constance, coloured the accusation that was brought against him with such artifice and success, that, by the most scandalous breach of public faith, he was cast into prison, declared a heretic, because he refused to obey the order of the council, which commanded him to plead guilty against the dictates of his conscience, and was burnt alive the 6th of July, 1415. This dreadful punishment he endured with unparalleled magnanimity and resignation, expressing, in his last moments, the noblest feelings of love to God, and the most triumphant hope of the accomplishment of those transporting promises with which the Gospel arms the true Christian at the approach of eternity. The same unhappy fate was borne with the same pious fortitude and constancy of mind by

**JEROME OF PRAGUE,** the intimate companion of Huss, who came to this council with the generous design of supporting and seconding his persecuted friend. Terrified by the prospect of a cruel death, Jerome at first appeared willing to submit to the orders of the council, and to abandon the tenets and opinions which it had condemned in his writings. This submission, however, was not attended with the advantages he expected from it, nor did it deliver him from the close and severe confinement in which he was kept. He therefore resumed his fortitude, professed anew with an heroic constancy, the opinions which he had deserted for a while from a principle of fear, and maintained them to the

\* We may here observe, that the city of Calais alone was an annual expence to the crown of nineteen thousand, one hundred, and nineteen pounds; that is, above one third of the common charge of the time of peace. Ireland cost two thousand pounds a year, more than its own revenue, which was certainly very low.

† Vid. Fleetwood's *Chronicon Pretiosum*, p. 52.

‡ Vid. Bohus. Balbinus, *Epitom. Hist. Bohem. lib. iv.*

cap. v. p. 431.

§ It must, however, be understood, that the writings and opinions of Wickliff, which were recommended by Huss, were those only which related to the papal hierarchy, the despotism of the court of Rome, and the corruption of the clergy; for, in other respects, it is certain that he adhered to the most superstitious doctrines of the church, as appears by two sermons he had prepared for the council of Constance.







flames, in which he expired on the 30th of May, 1416.

SIR WILLIAM GASCOIGNE \* was promoted to the bench by king Henry IV. soon after his accession to the throne, and died in the first year of the reign of Henry V. A. D. 1413. This justly celebrated judge is immortalized by Shakspeare, in the second part of king Henry IV. A monument, with his effigies, is in Harwood Church, in Yorkshire. Mr. Oldys, in his

"British Librarian," mentions that he had seen a gold medal struck in commemoration of the transaction of sending Henry V. while prince of Wales, to prison, because, when the judge was in the exercise of his function, he had the imprudence to treat him with great indignity. On one side of the medal was the image of the judge, and his name written round it in letters of the old English character.

## B O O K VI. THE LINE OF YORK.

*Containing the Reigns of Edward IV. Edward V. and Richard III.*

C H A P. I.

E D W A R D IV.

EDWARD, now in his twentieth year, was proclaimed on the 5th of March, 1461. He was of a temper, according to Hume, well fitted to make his way through such a scene of war, havock, and devastation, as must conduct him to the full possession of that crown, which he claimed from hereditary right, but which he had assumed from the tumultuary election alone of his own party. He was bold, active, enterprising; and his hardness of heart and severity of character, rendered him impregnable to all those movements of compassion, which might relax his vigour in the prosecution of the most bloody revenges upon his enemies. The very commencement of his reign gave symptoms of his sanguinary disposition. One Walker, a grocer, of London, whose shop had the sign of the crown, said that he would make his son heir to the crown; this harmless pleasantry was interpreted to be spoken in derision of Edward's assumed title; and he was condemned and executed for the offence†. Such an act of tyranny was a proper prelude to the events which ensued. The scaffold, as well as the field, incessantly streamed with the noblest blood of England, spilt in the quarrel between the two contending families, whose animosity was now become implacable. The people, divided in their affections, took different symbols of party; the partizans of the house of Lancaster chose the *red rose* as their mark of distinction; those of York were denominated from the *white*; and these civil wars were thus known, over Europe, by the name of the quarrel between the two roses.

The citizens of London, and the southern parts of the kingdom became greatly displeased at the licence, in which queen Margaret had been obliged to indulge her troops; and as she there expected an obstinate resistance, she had prudently retired northwards among her own partizans. The same licence, joined to the zeal of faction, soon brought great multitudes to her standard; and she was able, in a few days, to assemble an army of sixty thousand men in Yorkshire. The king and the earl of Warwick hastened with an army of forty thousand men, to check her progress; and when they reached Pontefract they dispatched a body of troops, under the command of lord Fitzwalter, to secure the passage of Ferry-bridge over the river Ayre, which lay between them and the enemy. Fitzwalter executed his commission; but was not able to maintain it against lord Clifford, whose force was greatly superior to his own. The Yorkists were chased back with great slaughter; and lord Fitzwalter himself was slain in the action. The earl of Warwick, dreading the consequences of this disaster, at a time when a decisive action was every hour

expected, immediately ordered his horse to be brought him, which he stabbed before the whole army; and, kissing the hilt of his sword, swore, "That he was determined to share the fate of the meanest soldier." A proclamation was issued, at the same time, giving to every one full liberty to retire; but menacing the severest punishment to those who should discover any symptoms of cowardice in the ensuing battle. Lord Falconberg was sent to recover the post which had been lost: he passed the river some miles above Ferry-bridge, and, falling unexpectedly on lord Clifford, revenged the former disaster by the defeat of his party, and the death of their leader.

The two armies met at Touton, a small village in Yorkshire, where a fierce and obstinate battle ensued. While the Yorkists were advancing to the charge, there happened a great fall of snow, which drove in the faces of their enemies, insomuch that they were almost blinded; and this advantage was improved by a stratagem of lord Falconberg's. That nobleman ordered some infantry to advance before the line, and, after having sent a volley of flight arrows, as they were called, amidst the enemy, immediately to retire. The Lancastrians, supposing they were within reach of the opposite army, discharged all their arrows, which thus fell short of the Yorkists. After the quivers of the enemy were emptied, Edward advanced his line, and did execution with impunity on the dismayed Lancastrians: the bow, however, was soon laid aside, and the sword decided the combat, which ended in a total victory on the side of the Yorkists. Edward now, according to Habington, issued orders to give no quarter: the routed army was pursued to Tadcaster with great bloodshed and confusion; and above thirty-six thousand men are computed to have fallen in the battle and pursuit: among these were the earl of Westmoreland, and his brother Sir John Nevil, the earl of Northumberland, the lords Dacres and Welles, and Sir Andrew Trollop. The earl of Devonshire, who was now engaged in Henry's party, was brought a prisoner to Edward, and was soon after beheaded, by martial law, at York. His head was fixed on a pole erected over a gate of that city; and the head of duke Richard, and that of the earl of Salisbury, were taken down, and buried with their bodies. Henry and Margaret had remained at York during the action; but learning the defeat of their army, and being sensible that no place in England could now afford them shelter, they fled with great precipitation into Scotland. They were accompanied by the duke of Exeter, who, though he had married Edward's sister, had taken part with the Lancastrians; and by Henry, duke of Somerset, who had commanded in the unfortunate battle of Touton, and who was the son of that nobleman who was slain in the first battle of St. Alban's. And thus we find the unfor-

5 D

tunate

\* See p. 325.

† See Habington in Kennet, p. 431; and Grafton, p. 791.



fortunate king Henry, after above thirty-eight years' reign, was not only driven from his throne and crown, but also from all his dominions.

In the interim king Edward, with as glorious a triumph and dilated joy as victory could beget, marched towards London, where the citizens received him with great splendor and magnificence; and, on the 28th of June, 1461, he was crowned at Westminster, where, in St. Peter's church, it was the next day again solemnly set on his head, and on the third so crowned he went to St. Paul's cathedral.

Scotland, notwithstanding the great animosity which prevailed between the kingdoms, had hitherto not exerted itself vigorously to take advantage of the civil commotions which arose between the contending families. James I. employed in civilizing his subjects, and taming them to the salutary yoke of law and justice, avoided all hostilities with foreign nations; and though he seemed interested to maintain a balance between France and England, he gave no farther assistance to the former kingdom in its greatest distresses, than permitting, and perhaps encouraging, his subjects to enlist in the French service. After the murder of that excellent prince, the minority of his son and successor, James II. and the distractions incident to it, retained the Scots in the same state of neutrality; and the superiority, visibly acquired by France, rendered it then unnecessary for her ally to interpose in her defence. But, when the quarrel commenced between the houses of York and Lancaster, and became absolutely incurable, but by the total extinction of one party, James, who now had risen to man's estate, was tempted to seize the opportunity, and he endeavoured to recover those places, which the English had formerly conquered from his ancestors. He laid siege to the castle of Roxborough in 1460, and had provided himself with a small train of artillery for that enterprize: but his cannon were so ill framed, that one of them burst as he was firing it, and put an end to his existence in the flower of his age. His son and successor, James III. was also a minor on his accession: the usual distractions ensued in the government: the queen-dowager, Anne of Gueldres, aspired to the regency: the family of Douglas opposed her pretensions: and queen Margaret, when she fled into Scotland, found there a people little less divided by faction, than those by whom she had been expelled. Though she pleaded the connexions between the royal family of Scotland and the house of Lancaster, by the young king's grand-mother, a daughter of the earl of Somerset; she could engage the Scottish council to go no farther than to express their good wishes in her favour: but, on her offer to deliver to them immediately the important fortrefs of Berwick, and to contract her son in marriage with a sister of king James, she found a better reception; and the Scots promised the assistance of their arms to reinstate her family upon the throne. But, as the danger from that quarter seemed not very urgent to Edward, he did not pursue the fugitive king and queen into their retreat; but returned to

London, where a parliament was summoned for settling the government\*. This assembly met on the 4th of November, and recognized the title of Edward, by hereditary descent, through the family of Mortimer; and declared that he was king by right, from the death of his father, who had also the same lawful title; and that he was in possession of the crown from the day that he assumed the government, tendered to him by the acclamations of the people. They expressed their abhorrence of the usurpation and intrusion of the house of Lancaster, particularly that of the earl of Derby, otherwise called Henry IV. which, they said, had been attended with every kind of disorder, the murder of the sovereign, and the oppression of the subject. They annulled every grant which had passed in those reigns; they reinstated the king in all the possessions which had belonged to the crown at the pretended deposition of Richard II. and though they confirmed judicial deeds, and the decrees of inferior courts, they reversed all attainders passed in any parliament; particularly that of the earl of Cambridge, the king's grand-father; as well as the attainders of the earls of Salisbury and Gloucester, and that of lord Lumley, whose life and estate had been forfeited for adhering to Richard II. Many of these votes were, without doubt, the result of the usual violence of party: in more peaceable times they were repealed: and the statutes of the house of Lancaster, being the deeds of an established government, and exacted by princes long possessed of authority, have always been held as valid. The parliament passed an act of forfeiture and attainder against Henry VI. and queen Margaret, and their infant son, prince Edward: the same act was extended to the dukes of Somerset and Exeter; to the earls of Northumberland, Devonshire, Pembroke, Wilts; to the viscounts Beaumont; the lords Roos, Nevil, Clifford, Welles, Dacre, Gray of Rugemont, Hungerford; to Alexander Hedie, Nicholas Latimer, Edmund Montfort, John Heron, and many other persons of distinction. They vested the estates of all these attainted persons in the crown; though their sole crime was the adhering to a prince, whom every individual of the parliament had long recognized, and whom that very king himself, who was now seated on the throne, had acknowledged and obeyed as his superior and lawful sovereign. The necessity of supporting the government established will more fully justify some other acts of violence, though the method of conducting them may still appear exceptionable. John, earl of Oxford, and his son Aubrey de Vere, were detected in a correspondence with Margaret, were tried by martial law before the constable, were condemned and executed. Sir William Tyrrel, Sir Thomas Tudenham, and John Montgomery, were convicted in the same arbitrary court, were executed, and their estates forfeited. This introduction of martial law into civil government was a high strain of prerogative; which, were it not for the violence of the times, would probably have appeared exceptionable to a nation so jealous of their liberties as the English were now become†.

\* See Hume.

† See the Statutes at Large, 1 Edw. IV. cap. 1.

‡ "That we may judge how arbitrary a court that of the constable of England was, we may peruse the patent granted to the earl of Rivers in this reign, as it is to be found in Spellman's Glossary in verbo *Constabularius*; as also more fully in Rymer, vol. xi. p. 581. Here is a clause of it: "*Et ulterius de uberiori gratia nostra eidem comiti de Rivers plenam potestatem damus ad cognoscendum & procedendum, in omnibus & singulis causis et negotiis, de et super crimine lèse majestatis seu super occasione ceterisque causis, quibuscunque per præfatum comitem de Rivers, ut constabularium Angliæ—quæ in curia constabularii Angliæ ab antiquo, viz. tempore dicti domini Gulielmi Conquestoris, seu aliquo tempore citra tractari, audiri, examinari, aut decidi consueverant, aut jure debuerant, aut debent, causasque et negotia prædicta cum omnibus et singulis emergentibus, incidentibus, & connexis, audiendum, examinandum et sine debito terminandum, etiam summarie et de plano, sine strepitu et figura justitiæ, sola facti veritate inspecta, ac etiam*

*manu regia, si opportunum visum fuerit eidem comiti de Rivers, vices nostras appellatione remota.*" "The office of constable was perpetual in the monarchy; its jurisdiction was not limited to times of war, as appears from this patent, and as we learn from Spellman. Yet its authority was in direct contradiction to Magna Charta; and it is evident, that no regular liberty could subsist with it. It involved a full dictatorial power, continually subsisting in the state. The only check on the crown, besides the want of force to support all its prerogatives, was, that the office of constable was commonly either hereditary, or during life; and the person invested with it was, for that reason, not so proper an instrument of arbitrary power in the king. Accordingly the office was suppressed by Henry VI. the most arbitrary of all the English princes. The practice, however, of exercising martial law still subsisted; and was not abolished till the petition of right under Charles I. This was the epoch of true liberty confirmed by the restoration, and enlarged and secured by the revolution." Hume.



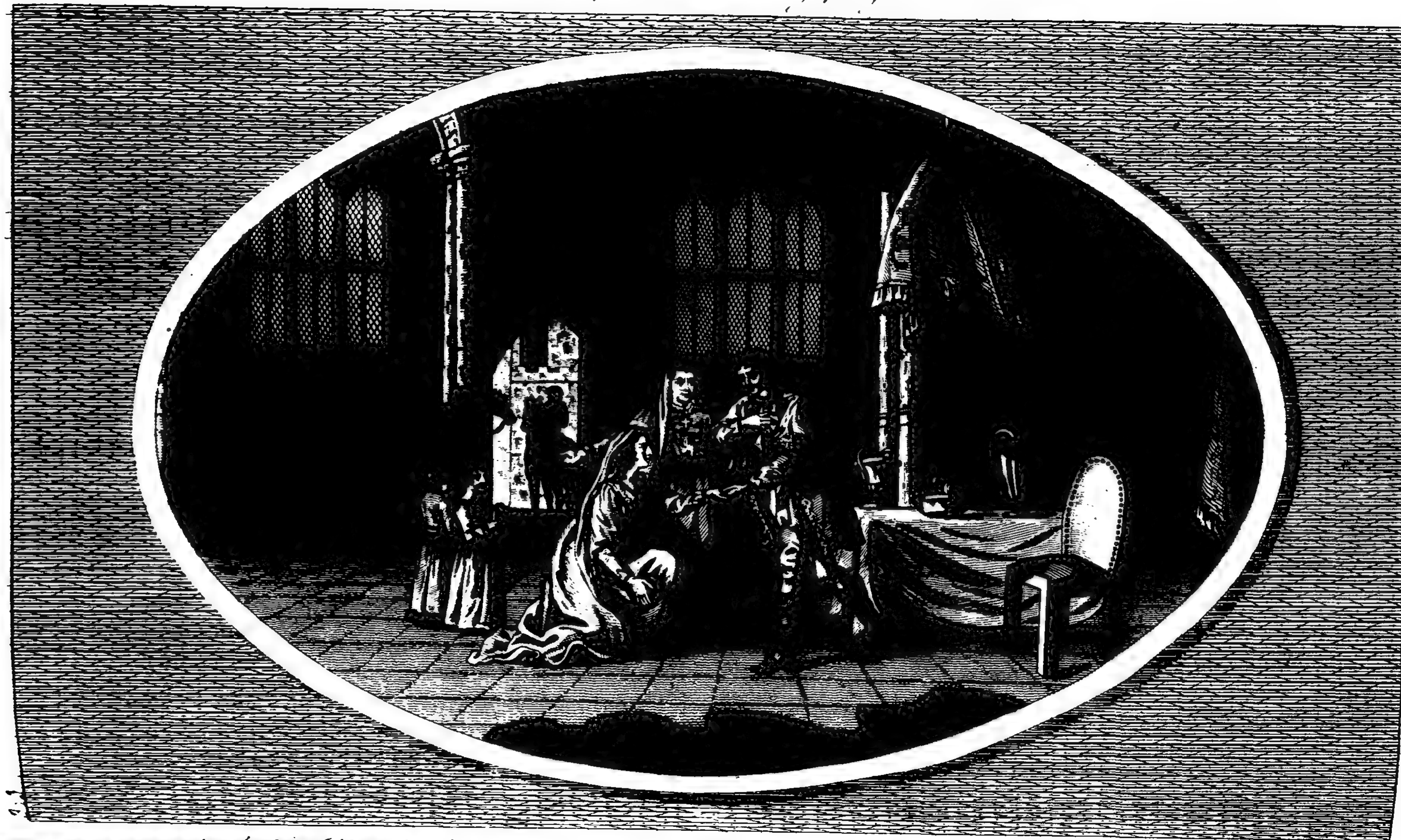
*Engraved for Hobbes's History of England.*



*Queen Margaret presenting her son to a Hollander for protection, after having been stripped of her jewels by other ruffians.*



*Engraved for Mr. Ashmole's History of England.*



150

*Engraved by W. B. for Mr. Ashmole's History of England.*



The new establishment still seemed precarious and uncertain; not only from the domestic discontents of the people, but from the efforts of foreign powers. Lewis XI. sent a small body of troops to Henry's assistance under Varenne, seneschal of Normandy; who landed in Northumberland, in 1462, and got possession of the castle of Alnwick: but as the indefatigable Margaret went in person to France, where she solicited larger supplies, and promised Lewis to deliver up Calais, if her family should, by his means, be restored to the throne of England; he was induced to send along with her in 1462, a body of two thousand men at arms, which enabled her to take the field, and to make an inroad into England. Though reinforced by a numerous train of adventurers from Scotland, and by many partizans of the family of Lancaster, she received a check at Hedgley-moor on the 25th of April, from lord Montacute, brother to the earl of Warwick, and warden of the east marches between Scotland and England. Montacute, encouraged with this success, notwithstanding a numerous reinforcement was on their march to join him by orders from Edward, ventured, with his own troops alone, to attack the Lancastrians at Hexham on the 15th of May; where he obtained a complete victory over them. The duke of Somerset, the lords Roos and Hungerford, were taken in the pursuit, and immediately beheaded by martial law at Hexham. Summary justice was in like manner executed at Newcastle on Sir Humphrey Nevil, and several other gentlemen. All those who were spared in the field suffered on the scaffold; and the utter extermination of their adversaries was now become the plain object of the York party; a conduct which received but too plausible an apology from the preceding practice of the Lancastrians. The fate of the unfortunate royal family, after this defeat, was singular. Margaret, flying with her son into a forest, where she endeavoured to conceal herself, was beset, during the darkness of the night, by robbers, who, either ignorant or regardless of her quality, despoiled her of her rings and jewels, and treated her with the utmost indignity. The partition of this rich booty raised a quarrel among them; and while their attention was thus engaged, she took the opportunity of making her escape with her son, into the thickest of the forest, where she wandered for some time, overspent with hunger and fatigue, and sunk with terror and affliction. While in this wretched condition, she saw a robber approach with his naked sword, and finding that she had no means of escape, she suddenly embraced the resolution of trusting entirely for protection to his faith and generosity. She advanced towards him; and presenting to him the young prince, called out to him, "Here, my friend, I commit to your care the safety of your king's son\*." The man, whose humanity and generous spirit had been obscured, not entirely lost by his vicious course of life, was struck with the singularity of the event, was charmed with the confidence reposed in him; and vowed, not only to abstain from all injury against the prince, but to devote himself entirely to her service†. By his means she dwelt some time concealed in the forest, and was at last conducted to the sea-coast, whence she made her escape into Flanders. She passed thence into her father's court, where she lived several years in privacy and retirement. Her husband was not so fortunate or so dexterous in finding the means of escape. Some of his friends took him under their protection, and conveyed him into Lancashire; where he remained concealed during twelve months; but he was at last detected, delivered up to Edward, and thrown into the Tower‡. The safety of his person was owing less to the generosity of his enemies, than to the contempt which they had entertained of his courage and his understanding.

The imprisonment of Henry, the expulsion of Mar-

garet, the execution and confiscation of all the most eminent Lancastrians, seemed to give full security to Edward's government, whose title by blood being now recognized by parliament, and universally submitted to by the people, was no longer in danger of being impeached by any antagonist. In this prosperous situation, the king delivered himself up, without control, to those pleasures which his youth, his high fortune, and his natural temper invited him to enjoy; and the cares of royalty were less attended to, than the dissipation of amusement, or the allurements of passion. The cruel and unrelenting spirit of Edward, though inured to the ferocity of civil wars, was at the same time extremely devoted to the softer passions, which, without mitigating his severe temper, maintained a great influence over him, and shared his attachment with the pursuits of ambition, and the thirst of military glory. During the present interval of peace, he lived in the most familiar manner with his subjects, particularly with the citizens of London. He became at length the peculiar favourite of the young and gay of both sexes. As it is difficult to confine the ruling passion within the strict rules of œconomy and prudence, the amorous temper of Edward led him into a snare, which proved fatal to his repose, and to the stability of his throne.

Jaqueline of Luxemburg, duchess of Bedford, had, after her husband's death, so far sacrificed her ambition to love, that she espoused, in second marriage, Sir Richard Woodeville, a private gentleman, to whom she bore several children; and among the rest, Elizabeth, who was remarkable for the grace and beauty of her person, as well as for other amiable accomplishments. This young lady had married Sir John Gray of Groby, by whom she had children; and her husband being slain in the second battle of St. Alban's, fighting on the side of Lancaster, and his estate being for that reason confiscated, his widow retired to live with her father, at his seat of Grafton in Northamptonshire. The king came accidentally to the house after a hunting party, in order to pay a visit to the duchess of Bedford; and as the occasion seemed favourable for obtaining some grace from this gallant monarch, the young widow flung herself at his feet, and with many tears entreated him to take pity on her impoverished and distressed children. The sight of so much beauty in affliction strongly affected the amorous Edward; love stole insensibly into his heart under the guise of compassion; and her sorrow, so becoming a virtuous matron, made his esteem and regard quickly correspond to his affection. He raised her from the ground with assurances of favour; he found his passion increase every moment by the conversation of the amiable object; and he was soon reduced, in his turn, to the posture and style of a suppliant at the feet of Elizabeth. But the lady, either averse to dishonourable love from a sense of duty, or perceiving that the impression which she had made, was so deep as to give her hopes of obtaining the highest elevation, obstinately refused to submit to his embraces; and the endearments, caresses, and importunities of the young and amiable Edward, proved fruitless against her rigid and inflexible virtue. His passion, irritated by opposition, and increased by his veneration for such honourable sentiments, carried him at last beyond all bounds of reason; and he offered to share his throne, as well as his heart, with the woman, whose beauty of person, and dignity of character, seemed so well to entitle her to both. The marriage was privately celebrated at Grafton. The secret was carefully kept for some time: no one suspected, that so libertine a prince could sacrifice so much to a romantic passion: and there were also strong reasons, which at that time rendered this step to the highest degree dangerous and imprudent.

The king being extremely desirous to secure his throne, as well by the prospect of issue, as by the alli-

\* See the annexed beautiful engraving.  
† Manstrelet, vol. III. p. 96.

‡ Hall, fol. 191. *Fragm. ad finem Sprotti.*



ances of foreign powers, had determined to make application to some neighbouring princes; accordingly he cast his eye on Bona of Savoy, sister of the queen of France, who, he hoped, would, by her marriage, ensure him the friendship of that power, which was alone both able and inclined to give support and assistance to his rival. To render the negotiation more successful, the earl of Warwick had been dispatched to Paris, where the princess then resided; he had demanded Bona in marriage for the king; his proposal had been accepted; the treaty was fully concluded; and nothing remained but the ratification of the terms agreed on, and the bringing over the princess to England. But when Edward's marriage remained no longer secret, the haughty earl deeming himself affronted, both by being employed in this fruitless negotiation, and by being kept a stranger to the king's intentions, who had owed every thing to his friendship, immediately returned to England, inflamed with rage and indignation. The influence of passion over so young a man as Edward, might have served as an excuse for his imprudent conduct, had he deigned to acknowledge his error, or had he pleaded his weakness as an apology: but his faulty shame or pride prevented him from mentioning the matter to Warwick; and that nobleman was allowed to depart the court, full of discontent and ill humour. Every incident now tended to widen the breach between the king and his powerful subject. The queen, who lost not her influence by marriage, was equally solicitous to draw every grace and favour to her own friends and kindred, and to exclude those of the earl, whom she viewed as her greatest enemy. Her father was created earl of Rivers, May 24, 1466: he was made treasurer in the room of lord Mountjoy: he was invested in the office of constable for life; and after his death his son\* was honoured with that dignity. The earl of Warwick could not suffer with patience, the least diminution of that credit which he had so long enjoyed, and which he rightly thought he had merited by such important services. Though he had received so many grants from the crown, that the revenue arising from them amounted, besides his patrimonial estate, to eighty thousand crowns a year, according to the computation of Philip de Comines; his ambitious spirit was still dissatisfied, while others surpassed him in authority and influence with the king. Edward also, jealous of that power which had supported him, and which he himself had contributed still higher to exalt, was well pleased to raise up rivals in credit to the earl of Warwick; and he justified, by this political view, his extreme partiality to the queen's kindred. But the nobility of England, envying the sudden growth of the Woodevilles, were more inclined to take part with Warwick's discontents, to whose grandeur they were already accustomed, and who had reconciled them to his superiority by his gracious and popular manners. And as Edward obtained from parliament a general resumption of all grants which he had made since his accession, and which had extremely impoverished the crown; this act, though it passed with some exceptions, particularly one in favour of the earl of Warwick, gave a general alarm to the nobility, and disgusted many, even zealous partizans of the family of York. But the most considerable associate that Warwick acquired to his party, was George, duke of Clarence, the king's second brother. This prince deemed himself no less injured than the other grandees, by the uncontrolled influence of the queen and her relations; and as his fortunes were still left on a precarious footing, while theirs were fully established,

this neglect, joined to his restless spirit, inclined him to give countenance to all the malecontents. The favourable opportunity of gaining him was espied by the earl of Warwick, who offered him in marriage his eldest daughter, and co-heir of his immense fortunes; a settlement which, as it was superior to any that the king himself could confer upon him, immediately attached him to the party of the earl. Thus an extensive and dangerous combination was insensibly formed against Edward and his ministry. Though the immediate object of the malecontents was not to overturn the throne, it was difficult to foresee the extremities to which they might be carried: and as opposition to government was usually in those ages prosecuted by force of arms, civil convulsions and disorders were likely to be soon the result of these confederacies.

While this cloud was gathering at home, Edward carried his views abroad, and endeavoured to secure himself against his factious nobility by entering into foreign alliances. With this view a negotiation with the duke of Burgundy was set on foot, in February, 1467, because he being descended by his mother, a daughter of Portugal, from John of Gaunt, was naturally inclined to favour the house of Lancaster: but this consideration was easily overbalanced by political motives; and Charles, perceiving the interests of that house to be extremely decayed in England, sent over his natural brother, commonly called the Bastard of Burgundy, to carry in his name proposals of marriage to Margaret, the king's sister. The alliance of Burgundy was more popular among the English than that of France; the commercial interests of the two nations invited the princes to a close union; their common jealousy of Lewis was a natural cement between them; and Edward, pleased with strengthening himself by so potent a confederate, soon concluded the alliance, and led his sister upon Charles. He was conducted to Paris in June 1468, and the marriage was solemnized on the 9th of July following. A league which Edward at the same time concluded with the duke of Brittany, seemed both to increase his security, and to open to him the prospect of rivaling his predecessor in those foreign conquests, which, however short-lived and unprofitable, had rendered their reign so popular and illustrious†.

Whatever ambitious schemes the king might have built on these alliances, they were soon frustrated by intestine commotions, which broke out in 1469, and engrossed all his attention. These disorders probably arose not immediately from the intrigues of the earl of Warwick, but from accident, aided by the turbulent spirit of the age, by the general humour of discontent which that popular nobleman had infused into the nation, and perhaps by some remains of attachment to the house of Lancaster. The hospital of St. Leonard's near York had received, from an ancient grant of king Athelstan, a right of levying a thrave of corn upon every ploughland in the county; and as these charitable establishments are liable to abuse, the country people complained, that the revenue of the hospital was no longer expended for the relief of the poor, but was secreted by the managers, and employed to their private purposes. After long repining at the contribution, they absolutely refused payment; ecclesiastical and civil censures were used against them; their goods were distrained, and their persons thrown into prison, till, as their ill-humour daily increased, they rose in arms; put the officers of the hospital to the sword, and proceeded in a body, about fifteen thousand, to the gates of York. Lord Montague, who commanded in those parts, opposed himself to

\* The same young nobleman was married to the only daughter of lord Scales, enjoyed the great estate of that family, and had the title of Scales conferred upon him. Catharine, the queen's sister, was married to the young duke of Buckingham, who was a ward of the crown: Mary, another of her sisters, espoused William Herbert, created earl of Huntingdon: Ann, a third sister, was given in marriage to the son and heir of Gray, lord Ruthyn, created earl of Kent. The daughter

and heir of the duke of Exeter, who was also the king's niece, was contracted to Sir Thomas Gray, one of the queen's sons by her former husband; and as lord Montague was treating of a marriage between his son and this lady, the preference given to young Gray was deemed an injury and affront to the whole family of Nevil. Hume.

† See the Parliamentary History, vol. II. p. 237.



their progress: and having been so fortunate in a skirmish as to seize Robert Hilderne their leader, he ordered him immediately to be led to execution; that summary method being conformable to the practice of the times. The rebels, however, still continued in arms; and being soon headed by men of greater distinction, Sir Henry Nevil, son of lord Latimer, and Sir John Coniers, they advanced southward, and began to appear formidable to government. Herbert, earl of Pembroke, who had received that title on the forfeiture of Jasper Tudor, was ordered by Edward to march against them at the head of two thousand horse; and he was joined by five thousand archers under the command of Stafford, earl of Devonshire, who had succeeded in that title to the family of Courtney, which had also been attainted. But a trivial difference about quarters having begotten an animosity between these two noblemen; the earl of Devonshire retired with his archers, and left Pembroke alone to encounter the rebels. The two armies approached each other near Banbury; and Pembroke, having prevailed in a skirmish, and having taken Sir Henry Nevil prisoner, ordered him immediately to be put to death, without any form or process. This execution enraged, without terrifying, the rebels; they attacked the earl's army on the 26th of July, routed them, put them to the sword without mercy; and having seized Pembroke, they took immediate revenge upon him for the death of their leader. The king, imputing this misfortune to the earl of Devonshire, who had deserted Pembroke, ordered him to be executed in a like summary manner. But these speedy executions, or rather murders, did not stop there: the northern rebels, sending a party to Grafton, under the command of one Robert Hilliard, seized the earl of Rivers and his son John; men who had become noxious by their near relation to the king, and his partiality towards them: these were immediately executed by orders from Sir John Coniers.

There is no part of English history, says Hume, since the Conquest, so obscure, so uncertain, so little authentic, or consistent, as that of the wars between the two Roses: historians differ about many material circumstances; some events of the utmost consequence, in which they almost all agree, are incredible, and contradicted by records\*; and it is remarkable, that this profound darkness falls upon us just on the eve of the restoration of letters, and when the art of printing was already known in Europe. All we can distinguish with certainty through the deep cloud which covers that period, is a scene of horror and bloodshed, savage manners, arbitrary executions, and treacherous, dishonourable conduct in all parties. There is no possibility, for instance, of accounting for the views and intentions of the earl of Warwick at this time. It is agreed, that he resided, together with his son-in-law the duke of Clarence, in his government of Calais, during the commencement of this rebellion: and that his brother Montague acted with vigour against the northern rebels. We may thence

presume, that the insurrection had not proceeded from the secret counsels and instigation of Warwick; though the murder committed by the rebels on the earl of Rivers, his capital enemy, forms, on the other hand, a violent presumption against him. He and Clarence came over to England, offered their service to Edward, were received without any suspicion, were entrusted by him in the highest commands, and still persevered in their fidelity. Not long after, we find the rebels quieted and dispersed by a general pardon, granted by Edward from the advice of the earl of Warwick. It appears that, after this insurrection, there was an interval of peace, during which the king loaded the family of Nevil with honours and favours of the highest nature: he made lord Montague a marquis by the same name; he created his son George duke of Bedford; he publicly declared his intention of marrying that young nobleman to his eldest daughter Elizabeth, who, as he had yet no sons, was presumptive heir of the crown: yet we find that soon after, being invited to a feast by the archbishop of York, a younger brother of Warwick and Montague, he entertained a sudden suspicion, that they intended to seize his person, or to murder him; and he abruptly left the entertainment.

In the year 1470 another rebellion broke out, which is as unaccountable as all the preceding events; chiefly because no sufficient reason is assigned for it, and because, so far as it appears, the family of Nevil had no hand in exciting and fomenting it. It arose in Lincolnshire, and was headed by Sir Robert Welles, son to the lord of that name. The army of the rebels amounted to thirty thousand men; but lord Welles himself, far from giving countenance to them, fled into a sanctuary, in order to secure his person against the king's anger or suspicions. He was allured from this retreat by a promise of safety, and was soon after, notwithstanding this assurance, beheaded along with Sir Thomas Dymoc, by orders from Edward. On the 13th of March the king fought a battle with the rebels, defeated them, took Sir Robert Welles and Sir Thomas Launde prisoners, and ordered them to be immediately executed; and they were in consequence of this order beheaded.

Edward, during these transactions, entertained but little jealousy of the earl of Warwick or duke of Clarence, inasmuch that he sent them with commissions of array to levy forces against the rebels: but these malecontents, as soon as they left the court, raised troops in their own names, issued declarations against the government, and complained of grievances, oppressions, and bad ministers. The unexpected defeat of Welles disconcerted all their measures; and they retired northwards into Lancashire, where they expected to be joined by lord Stanley, who had married the earl of Warwick's sister. But as that nobleman refused all concurrence with them, and as lord Montague also remained at rest in Yorkshire, they were obliged to disband their army, and to take refuge in Devonshire, where they embarked for Calais†.

\* We shall give an instance: almost all the historians, even Comines, and the continuator of the Annals of Croyland assert, that Edward was about this time taken prisoner by Clarence and Warwick, and was committed to the custody of the archbishop of York, brother to the earl; but being allowed to take the diversion of hunting by this prelate, he made his escape, and afterwards chased the rebels out of the kingdom. But that all the story is false, appears from Rymer, where we find that the king, throughout all this period, continually exercised his authority, and never was interrupted in his government. On the 7th of March, 1470, he gives a commission of array to Clarence, whom he then imagined a good subject; and on the 23d of the same month we find him issuing an order for apprehending him. Besides, in the king's manifesto against the duke and earl, (Clause 10, Edward IV. m. 7, 8,) where he enumerates all their treasons, he mentions no such fact: he does not so much as accuse them of exciting young Welles's rebellion: he only says, that they exhorted him to continue in his rebellion. We may judge how smaller facts will be misrepresented by historians, who can, in the most material trans-

actions, mistake so grossly. There may even some doubt arise with regard to the proposal of marriage made to Bona of Savoy; though almost all the historians concur in it, and the fact be very likely in itself: for there are no traces in Rymer of any such embassy of Warwick's to France. The chief certainty in this and the preceding reign arises either from public records, or from the notice taken of certain passages by the French historians. On the contrary, for some centuries after the Conquest, the French history is not complete without the assistance of English authors. We may conjecture, that the reason of the scarcity of historians during this period, was the destruction of the convents, which ensued soon after: copies of the more recent historians not being yet sufficiently dispersed, these histories have perished. Hume.

† The king offered by proclamation a reward of one thousand pounds, or one hundred pounds a year in land, to any that would seize them. Whence we may learn that land was at that time sold for about ten years' purchase. See Rymer, vol. xi. p. 654.



One Vaucler, a Gascon, whom Warwick had left as deputy governor of Calais, seeing the earl return in this miserable condition, refused him admittance; and would not permit the duchess of Clarence to land; though a few days before she had been delivered, on ship-board, of a son, and was at that time extremely disordered by sickness. With difficulty he would allow a few flagons of wine to be carried to the ship for the use of the ladies: but as he was a man of sagacity, and well acquainted with the revolutions to which England were subject, he secretly apologised to Warwick for this appearance of infidelity, and represented it as proceeding entirely from zeal for his service. He said, that the fortress was ill supplied with provisions: that he could not depend on the attachment of the garrison; that the inhabitants, who lived by the English commerce, would certainly declare for the established government; that the place was at present unable to resist the power of England on the one hand, and that of the duke of Burgundy on the other; and that, by seeming to declare for Edward, he would acquire the confidence of that prince, and still keep it in his power, when it should become safe and prudent, to restore Calais to its ancient master. It is uncertain whether Warwick was satisfied with this apology, or suspected a double infidelity in Vaucler; but he feigned to be entirely convinced by him; and, having seized some Flemish vessels which he found lying off Calais, he immediately departed for France. The king of France, uneasy at the close conjunction between Edward and the duke of Burgundy, received the unfortunate Warwick with great respect, with whom he had formerly maintained a secret correspondence, and whom he hoped still to make his instrument in overturning the government of England, and re-establishing the house of Lancaster. No animosity was ever greater than that which had long prevailed between that house and the earl of Warwick. His father had been executed by orders from Margaret; he himself had twice reduced Henry to captivity, had banished the queen, had put to death all their most zealous partizans either in the field or on the scaffold, and had occasioned innumerable ills to that unhappy family. For this reason, believing that such inveterate rancour could never admit of any cordial reconciliation, he had not mentioned Henry's name, when he took arms against Edward; and he rather endeavoured to prevail by means of his own adherents, than revive a party which he sincerely hated. But his present distresses, and the entreaties of Lewis, made him harken to terms of accommodation; and Margaret being sent for from Angers, an agreement was, from common interest, soon concluded between them. It was stipulated, that Warwick should espouse the cause of Henry, and endeavour to restore him to liberty, and to re-establish him on the throne; that the administration of the government, during the minority of young Edward, Henry's son, should be entrusted conjointly to the earl of Warwick and the duke of Clarence; that prince Edward should marry the lady Anne, second daughter of that nobleman; and that the crown, in case of the failure of male issue in that prince, should descend to the duke of Clarence, to the entire exclusion of king Edward and his posterity. The marriage of prince Edward with the lady Anne was shortly after celebrated in France.

Edward, by his sagacity, easily perceived, that it would be no hard matter to dissolve an alliance composed of such discordant parts. For this purpose he sent over a lady of great wisdom and address, who belonged to the train of the duchess of Clarence, and who, under colour of attending her mistress, was empowered to negotiate with the duke, and to renew the connexions of that prince with his own family. She represented to Clarence that he had unwarily, to his own ruin, be-

come the instrument of Warwick's vengeance; and had thrown himself entirely in the power of his most inveterate enemies; that the mortal injuries which the one royal family had suffered from the other, were now past all forgiveness, and no imaginary union of interests could ever suffice to obliterate them; that even if the leaders were willing to forget past offences, the animosity of their adherents would prevent a coalition of parties, and would, in spite of all temporary and verbal agreements, preserve an eternal opposition of measures between them; and that a prince who deserted his own kindred, and joined the murderers of his father, left himself single, without friends, without protection, and would not, when misfortunes inevitably fell upon him, be so much as entitled to any pity or regard from the rest of mankind\*. During this negotiation, Warwick was secretly carrying on a correspondence of the same nature with his brother the marquis of Montague, who was entirely trusted by Edward; and like motives produced a like resolution in that nobleman. The marquis also, that he might render the projected blow the more deadly and incurable, resolved to watch a favourable opportunity for committing his perfidy, and still to maintain the appearance of being a zealous adherent to the house of York. After these mutual snares were thus carefully laid, the decision of the quarrel advanced apace. Lewis prepared a fleet to escort the earl of Warwick, and granted him a supply of men and money. The duke of Burgundy, on the other hand, enraged at that nobleman for his seizure of the Flemish vessels before Calais, and anxious to support the reigning family in England, with whom his own interests were now connected, fitted out a larger fleet, with which he guarded the Channel; and he incessantly warned his brother-in-law of the imminent danger to which he was exposed: but Edward, though brave and active, had little foresight or penetration. He was not sensible of his danger; he made no suitable preparations against the earl of Warwick; he even said, that the duke might spare himself the trouble of guarding the seas, and that he wished for nothing more, than to see Warwick set foot on English ground. A vain confidence in his own prowess, joined to the immoderate love of pleasure, had made him incapable of all sound reason and reflection.

The event soon happened, of which Edward seemed so desirous. A storm dispersed the Flemish navy, and left the sea open to Warwick. That nobleman seized the opportunity, and setting sail, landed at Dartmouth in September, together with the duke of Clarence, the earls of Oxford and Pembroke, and a small body of troops; while the king was in the north, engaged in suppressing an insurrection which had been raised by lord Fitz-Hugh, brother-in-law to Warwick. The prodigious popularity of Warwick, the zeal of the Lancastrian party, the spirit of discontent with which many were infected, and the general instability of the English nation, occasioned by the late frequent revolutions, drew such multitudes to his standard, that in a few days his army amounted to sixty thousand men, and was continually increasing. Edward hastened southward to encounter him, and the two armies approached each other near Nottingham, where a decisive action was every hour expected. The rapidity of Warwick's progress had incapacitated the duke of Clarence from executing his plan of treachery; and the marquis of Montague had here the opportunity of striking the first blow. He communicated the design to his adherents, who promised him their concurrence: they took to arms in the night time, and hastened to Edward's quarters: the king was alarmed at the noise, and starting from bed, heard the cry of war usually employed by the Lancastrian party. Lord Hastings, his chamber-

\* Clarence was only one and twenty years of age, and seems to have possessed but a slender capacity; yet could he easily see the force of these reasonings; and upon the promise of forgive-

ness from his brother, he secretly engaged, on a favourable opportunity, to desert the earl of Warwick, and abandon the Lancastrian party.



lain, informed him of the danger, and urged him to make his escape by speedy flight from an army where he had so many concealed enemies; and where few seemed zealously attached to his service. He had just time to get on horseback, and to hurry with a small retinue to Lynne in Norfolk, where he luckily found some ships, on board of which he instantly embarked. And after this manner the earl of Warwick, in no longer space than eleven days after his first landing, was left entire master of the kingdom. But Edward's danger did not master with his embarkation. The Easterlings, or Hanse-Towns, were then at war both with France and England, and some of their ships, hovering on the English coast, espied the king's vessels, and gave chase to them; nor was it without great difficulty that he made his escape into the port of Almer in Holland. He had fled from England with such precipitation, that he had carried nothing of value along with him; and the only reward which he could bestow on the captain of the vessel that brought him over, was a robe lined with fables; promising him an ample recompence, if fortune should ever become more propitious to him: Edward now repaired to the duke of Burgundy; and Vaucler, the deputy governor of Calais, though he had been confirmed in his command by Edward, and had even received a pension from the duke of Burgundy on account of his fidelity to the crown, no sooner saw his old master Warwick reinstated in authority, than he declared for him, and with great demonstrations of zeal and attachment, put the whole garrison in his livery. And the intelligence which the duke received every day from England, seemed to promise an entire and full settlement in the family of Lancaster.

#### HENRY VI. RESTORED.

UPON Edward's flight the kingdom was left at Warwick's disposal, and that nobleman immediately repaired to London; and taking Henry from his confinement in the Tower, into which he himself had been the chief cause of throwing him, he proclaimed him king with great solemnity. A parliament was summoned, in the name of that prince, to meet at Westminster; and as this assembly could pretend to no liberty while surrounded by such enraged and insolent victors, governed by such an impetuous spirit as Warwick, their votes were entirely dictated by the ruling faction. The treaty with Margaret was here fully executed: Henry was recognized as lawful king; but his incapacity for government being avowed, the regency was entrusted to Warwick and Clarence till the majority of prince Edward; and in default of that prince's issue, Clarence was declared successor to the crown. The usual business also of reversals went on without opposition: every statute made during the reign of Edward was repealed; that prince was declared to be an usurper; he and his adherents were attainted; and in particular Richard, duke of Gloucester, his younger brother: all the attainders of the Lancastrians, the dukes of Somerset and Exeter, the earls of Richmond, Pembroke, Oxford, and Ormond, were reversed; and every one was restored who had lost either honours or fortune by his

former adherents to Henry's cause. The only person who was sacrificed to party rage at this time, was John Tibetot, or Tiptoft, earl of Worcester\*. All the other considerable Yorkists either fled beyond sea, or took shelter in sanctuaries; where the ecclesiastical privileges afforded them protection. In London alone, it is computed that no less than two thousand persons saved themselves in this manner; and among the rest, Edward's queen, who was there delivered of a son, called by his father's name.

The other rival queen Margaret had not yet appeared in England; but on becoming acquainted with Warwick's success, she prepared, with prince Edward, for her journey. All the banished Lancastrians flocked to her; and, among the rest, the duke of Somerset†, son of the duke beheaded after the battle of Hexham, before recorded:

Though the duke of Burgundy, by neglecting Edward, and paying court to the established government, had endeavoured to conciliate the friendship of the Lancastrians, he had not the success he desired; and the connexions between the king of France and the earl of Warwick still held him in great anxiety. This nobleman, too hastily regarding Charles as a determined enemy, had sent over to Calais a body of four thousand men, who made inroads in the Low Countries; and the duke of Burgundy saw himself in danger of being overturned by the united arms of England and of France. He resolved therefore to grant some assistance to his brother-in-law; but in such a covert manner as should give the least offence possible to the English government. In 1471, he equipped four large vessels, in the name of some private merchants, at Terveer in Zealand; and, causing fourteen ships to be secretly hired from the Easterlings, he delivered this small squadron to Edward, who, receiving also a sum of money from the duke, immediately set sail for England. No sooner was Charles informed of his departure, than he issued a proclamation inhibiting all his subjects from giving him the least assistance. This artifice, which could not deceive the earl of Warwick, might serve as a decent present, if that nobleman were so disposed, for maintaining friendship with the duke of Burgundy.

Edward, now become impatient to take revenge on his enemies, and to recover his lost authority, made an attempt to land with his forces, (which exceeded not two thousand men) on the coast of Norfolk; but being repulsed, he sailed northwards, and disembarked at Ravenspur in Yorkshire. Finding that the new magistrates, who had been appointed by the earl of Warwick, kept the people every where from joining him, he pretended, and even made oath, that he came not to challenge the crown, but only the inheritance of the house of York, which of right belonged to him; and that his intention was not to disturb the peace of the kingdom. His partizans every moment flocked to his standard: he was admitted into the city of York; and he was soon in a situation which gave him hopes of succeeding in his claims and pretensions. The marquis of Montague commanded in the northern counties; but from some reasons which, as well as many other important transactions in that age, no historian has cleared up,

\* This accomplished person, says Hume, born in an age and nation where the nobility valued themselves on ignorance as their privilege, and left learning to monks and school-masters, for whom indeed the spurious erudition that prevailed was best fitted, had been struck with the first rays of true science, which began to penetrate from the south, and had been zealous, by his exhortation and example, to propagate the love of letters among his unpolished countrymen. It is pretended, that knowledge had not produced on this nobleman himself the effect which so naturally attends it, of humanizing the temper, and softening the heart; and that he had enraged the Lancastrians against him by the severities which he exercised upon them during the prevalence of his own party. He endeavoured to conceal himself after the flight of Edward, but was caught on the top of a tree in the forest of Weybridge, was conducted to London, tried before the earl of Oxford, con-

demned, and executed.

† This nobleman, who had long been regarded as the head of the party, had fled into the Low Countries on the discomfiture of his friends; and as he concealed his name and quality, he had there languished in extreme indigence. Philip de Comines tells us, that he himself saw him, as well as the duke of Exeter, in a condition no better than that of a common beggar; till being discovered by Philip, duke of Burgundy, they had small pensions allotted them, and were living in silence and obscurity, when the success of their party called them from their retreat. But both Somerset and Margaret were detained by contrary winds from reaching England, till a new revolution in that kingdom, no less sudden and surprising than the former, threw them into greater misery than that from which they had just emerged.



he wholly neglected the beginnings of an insurrection, which he ought to have esteemed so formidable. Warwick assembled an army at Leicester, with an intention of meeting and of giving battle to the enemy; but Edward, by taking another road, passed him unmolested, and presented himself before the gates of London. His numerous friends now issued from their sanctuaries, and were active in his cause; many rich merchants, who had formerly lent him money, saw no other chance for their payment, but his restoration; the city-dames, who had been liberal of their favours to him, and who still retained an affection for this young and gallant prince, swayed their husbands and friends in his favour; so that the city of London espoused his cause; and, above all, the archbishop of York, Warwick's brother, to whom the care of the city was committed, had secretly, from unknown reasons, entered into a correspondence with him; and he facilitated Edward's admission into London, on the 11th of April.

Edward's entrance into London made him master not only of that rich and powerful city, but also of the person of Henry, who thus fell again into the hands of his enemies.

It does not appear that Warwick, during his short administration, which continued only six months, had been guilty of any unpopular act, or had any wise deserved to lose that general favour with which he had so lately overwhelmed Edward. But this prince, who was formerly on the defensive, was now the aggressor; and having overcome the difficulties which always attend the beginnings of an insurrection, possessed many advantages above his enemy: his partizans were actuated by that zeal and courage which the notion of an attack inspires; his opponents were intimidated for a like reason; every one who had been disappointed in the hopes which he had entertained from Warwick's elevation, either became a cool friend, or an open enemy to that nobleman; and each malecontent, from whatever cause, proved an accession to Edward's army. The king therefore, found himself in a condition to face the earl of Warwick; who, being reinforced by his son-in-law the duke of Clarence, and his brother the marquis of Montague, took post at Barnet, in the neighbourhood of London. The arrival of queen Margaret was every day expected, who would have drawn together all the genuine Lancastrians, and have brought a great accession to Warwick's forces. This consideration, however, proved a motive to the earl rather to hurry on a decisive action, than to share the victory with rivals and ancient enemies, who he foresaw would, in case of success, claim the chief merit in the enterprize. But while his jealousy was directed towards that side, he overlooked the dangerous infidelity of friends, who lay the nearest to his bosom. His brother Montague, who had lately temporised, seems now to have remained sincerely attached to the interests of his family: but his son-in-law, though bound to him by every tie of honour and gratitude, though he shared the power of the regency, though he had been invested by Warwick in all the honours and patrimony of the house of York, resolved to fulfil the secret engagements which he had formerly taken with his brother, and to support the interests of his own family: he deserted to the king in the night-time, and carried over a body of twelve thousand men along with him. Warwick was now too far advanced to retreat; and as he rejected with disdain all terms of peace offered by Edward and Clarence, he was obliged to hazard a general engagement. The battle was fought near Barnet on the 14th of April, with obstinacy on both sides: the two armies, in imitation of their leaders,

displayed uncommon valour: and the victory remained long undecided between them. But an accident threw the balance to the side of the Yorkists. Edward's cognizance was a sun; that of Warwick a star with rays; and the mistiness of the morning rendering it difficult to distinguish them, the earl of Oxford, who fought on the side of the Lancastrians, was by mistake attacked by his friends, and chased off the field of battle. Warwick, contrary to his more usual practice, engaged that day on foot, resolving to shew his army that he meant to share every fortune with them; and he was slain in the thickest of the engagement. His brother underwent the same fate: and as Edward had issued orders not to give any quarter, a great and undistinguished slaughter was made in the pursuit. About fifteen hundred of the victors were slain. The day on which this decisive battle was fought, queen Margaret and her son, now about eighteen years of age, landed at Weymouth, supported by a small body of French forces. When this princess received intelligence of her husband's captivity, and of the defeat and death of the earl of Warwick, her courage, which had supported her under so many disastrous events, now left her; and she immediately foresaw all the dismal consequences of this calamity. At first she took sanctuary in the abbey of Beaulieu; but being encouraged by the appearance of Tudor, earl of Pembroke, and Courtney, earl of Devonshire; of the lords Wenloc and St. John, with other men of rank, who exhorted her still to hope for success, she resumed her former spirit, and determined to defend to the utmost the ruins of her fallen fortunes. She advanced through the counties of Devon, Somerset, and Gloucester, increasing her army on each day's march; but was at last overtaken on the 4th of May by the expeditious Edward, at Tewkesbury, on the banks of the Severn. The Lancastrians were here totally defeated: the earl of Devonshire and lord Wenloc were killed in the field: the duke of Somerset, and about twenty other persons of distinction, having taken shelter in a church, were surrounded, dragged out, and immediately beheaded: about three thousand of their side fell in battle; and the army was dispersed.

Queen Margaret and her son were taken prisoners, and brought to the king, who insultingly asked the prince, "How he dared to invade his dominions?" The young prince, more mindful of his high birth than of his present fortune, replied, "That he came thither to claim his just inheritance." The ungenerous Edward, insensible to pity, struck him on the face with his gauntlet; and the dukes of Clarence and Gloucester, lord Hastings, and Sir Thomas Gray, taking the blow as a signal for farther violence, hurried the prince into the next apartment, and there dispatched him with their daggers on the 21st of the same month. Margaret was conducted into the Tower\*: king Henry expired in that confinement a few days after the battle of Tewkesbury; but whether he died a natural or violent death, the historic page does not inform us. It is certain, however, that Henry's death was sudden; and though he laboured under an ill state of health, this circumstance joined to the general manners of this age, gave a natural ground of suspicion, which was rather increased than diminished, by the exposing of his body to public inspection.

#### EDWARD IV. RESTORED.

THE hopes of the Lancastrians seemed now to be utterly extinguished. Every legitimate prince of the family was dead: almost every great leader of the party

\* Some time after Lewis, king of France, paid fifty thousand crowns for her ransom, and that princess, who had been so active on the stage of the world, and who had experienced such a variety of fortune, passed the remainder of her days in tranquillity and privacy, till the year 1482, when she died: an admirable princess, but more illustrious by her undaunted spi-

rit in adversity, than by her moderation in prosperity. She seems neither to have enjoyed the virtues, nor been subject to the weaknesses of her sex; and was as much tainted with the ferocity, as endowed with the courage of that barbarous age in which she lived.



had perished in battle, or on the scaffold: the earl of Pembroke, who was levying forces in Wales, disbanded his army when he received intelligence of the battle of Tewkesbury; and he fled into Brittany with his nephew, the young earl of Richmond. The bastard of Falconberg, who had levied some forces, and had advanced to London during Edward's absence, was repulsed; his men deserted him; he was taken prisoner, and immediately executed: and peace being now fully restored to the nation, a parliament was summoned on the 6th of October, which ratified, as usual, all the acts of the victor, and recognized his legal authority.

But Edward, who had been so firm, active, and intrepid, during his adversity, was still unable to resist the allurements of prosperity; and he wholly devoted himself, as before, to pleasure and amusement, after he became entirely master of this kingdom, and had no longer any enemy who could give him anxiety or alarm. In the year 1474 the king was roused from his lethargy by a popularity of foreign conquests, which probably his desire of popularity, more than the spirit of ambition, had made him covet. Though he deemed himself little beholden to the duke of Burgundy for the reception which that prince had given him during his exile, the political interest of their states maintained still a close connexion between them; and they agreed to unite their arms in making a powerful invasion on France. A league was formed, in which Edward stipulated to pass the seas with an army exceeding ten thousand men, and to invade the French territories: Charles promised to join him with all his forces: the king was to challenge the crown of France, and to obtain at least the provinces of Normandy and Guienne: the duke was to acquire Champagne and some other territories, and to free all his dominions from the burden of homage to the crown of France; and neither party was to make peace without the consent of the other. They were the more encouraged to hope for success from this league, as the count of St. Pol, constable of France, who was master of St. Quintin, and other towns on the Somme, had secretly promised to join them; and there were also hopes of engaging the duke of Bretagne to enter into the confederacy. The prospect of a French war was always a sure means of making the parliament open their purses, as far as the habit of that age would permit. They voted the king a tenth of rents, or two shillings in the pound; which must have been very inaccurately levied, since it produced only thirty-one thousand, four hundred, and sixty pounds; and they added to this supply a whole sixteenth, and three quarters of another. But as the king deemed these sums still unequal to the undertaking, he attempted to levy money by way of benevolence. The clauses annexed to the parliamentary grant shew sufficiently the spirit of the nation in respect to the granting of supplies. The money levied by the fifteenth was not to be put into the king's hands, but to be kept in religious houses; and if the expedition into France should not take place, it was immediately to be returned to the people. After these grants the parliament was dissolved, which had sat near two years and a half, and had been prorogued several times.

In June 1475, the king embarked at Sandwich for Calais, with an army of fifteen hundred men at arms, and fifteen thousand archers; attended by all the chief nobility of England, who, prognosticating future successes from the past, were eager to appear on this great theatre of honour\*. But their sanguine hopes were damped, when they found on entering the French territories, that neither did the constable open his gates to

them, nor the duke of Burgundy bring them the smallest assistance. That prince, transported by his ardent temper, had carried all his armies to a great distance, and had employed them in wars on the frontiers of Germany, and against the duke of Lorraine: and though he came in person to Edward, and endeavoured to apologize for this breach of treaty, there was no prospect that they would be able this campaign to make a conjunction with the English. This circumstance gave great disgust to the king, and inclined him to hearken to those advances which Lewis continually made him for an accommodation. That monarch, more swayed by political views than by the point of honour, deemed no submissions too mean, which might free him from enemies who had proved so formidable to his predecessors, and who, united to so many other enemies, might still shake the well-established government of France. When Edward sent a herald to that monarch to claim the crown of France, and to carry him a defiance in case of refusal, so far from answering to this bravado in like haughty times, he replied with great temper, and even made the herald a considerable present: he took afterwards an opportunity of sending a herald to the English camp; and having given him directions to apply to the lords Stanley and Howard, whom he heard were friends to peace, he desired the good offices of these noblemen in promoting an accommodation with their master: and as Edward was fallen into similar dispositions, a truce was concluded on the 29th of August, on terms more advantageous than honourable to Lewis. He stipulated to pay Edward seventy-five thousand crowns at that time, on condition that he should withdraw his army from France, and promised to pay him fifty thousand crowns a year during their joint lives: it was added, that the dauphin, when of age, should marry Edward's eldest daughter. In order to ratify this treaty, the two monarchs agreed to have a personal interview†.

Lewis's aim was to gain the affection of the most considerable among the English nobility, as well as to preserve good understanding with Edward. He bestowed pensions, to the amount of sixteen thousand crowns a year, on several of the king's favourites; on lord Hastings two thousand crowns; on lord Howard and others in proportion; and these great ministers were not ashamed thus to receive wages from a foreign prince. As the two armies, after the conclusion of the truce, remained some time in the neighbourhood of each other, the English were not only admitted freely into Amiens, where Lewis resided, but had also their charges defrayed, and had wine and other provisions furnished them in every inn, without any payments being demanded. They flocked thither in such multitudes, that once above nine thousand of them were in the town, and they might have made themselves masters of the king's person; but Lewis concluding, from their jovial and dissolute manner of living, that they had no bad intentions, was careful not to betray the least sign of fear or jealousy. And when Edward, informed of this disorder, desired him to shut the gates against them, he replied, that he would never agree to exclude the English from the place where he resided; but that Edward, if he pleased, might recal them, and place his own officers at the gates of Amiens, to prevent their returning. Lewis's desire of confirming a mutual amity with England, engaged him even to make imprudent advances, which cost him afterwards some pains to evade. In the conference at Pecquigni, he had said to Edward, that he wished to have a visit from him at Paris; that he would there endeavour to amuse him with the ladies; and that, in case any offences were then committed, he

\* Comines, lib. iv. chap. 5. This author says, (chap. 11.) that the king artfully brought over some of the richest of his subjects, who he knew would be soon tired of the war, and would promote all proposals of peace, which he foresaw would be soon necessary.

† For that purpose, says Hume, suitable preparations were made at Pecquigni, near Amiens. A close rail was drawn

across a bridge in that place, with no larger intervals than would allow the army to pass; a precaution against a similar accident to that which befel the duke of Burgundy in his conference with the dauphin at Montereau. Edward and Lewis came to the opposite sides; conferred privately together; and having confirmed their friendship, and interchanged many mutual civilities, they soon after parted.



would assign him the cardinal of Bourbon for confessor, who from fellow-feeling would not be over and above severe in the penances which he would enjoin. This hint made deeper impression than Lewis intended. Lord Howard, who accompanied him back to Amiens, told him, in confidence, that, if he were so disposed, it would not be impossible to persuade Edward to take a journey with him to Paris, where they might make merry together. Lewis pretended at first not to hear the offer; but, on Howard's repeating it, he expressed his concern that his wars with the duke of Burgundy would not permit him to attend his royal guest, and do him the honours he intended. "Edward," said he, privately to Comines, "is a very handsome, and a very amorous prince: some lady at Paris may invite him to return in another manner. It is better that the sea be between us."

Notwithstanding Edward had but little reason to be satisfied with the conduct of the duke of Burgundy\*, he reserved to that prince a power of acceding to the treaty of Pecquigni: but Charles, when the offer was made him, haughtily replied, that he was able to support himself without the assistance of England, and that he would make no peace with Lewis, till three months after Edward's return into his own country. Edward no less impolitic than the duke of Burgundy, was actuated by private passions, unworthy of a sovereign and a statesman. Jealousy of his brother Clarence had caused him to neglect the advances which were made of marrying that prince, now a widower, to Mary, heiress of Burgundy; and sent her proposals of eloping Anthony, earl of Rivers, brother to his queen, who retained an entire ascendant over him. But the match was rejected with disdain, and Edward permitted France to proceed without interruption, in her conquest over his defenceless ally. Any pretence made by the court of France was sufficient to satisfy Edward, who abandoned himself entirely to indolence and pleasure. The only object which divided his attention, was the improving of the public revenue, which had been dilapidated by the necessities, or even by the negligence, of his predecessors; and some of his expedients for that purpose, though unknown to us, were deemed, during the time, oppressive to the people. The detail of private wrongs naturally escapes the notice of history; but an act of tyranny, of which Edward was guilty in his own family, has been taken notice of by all writers, has met with general censure, and deserves to be execrated in the strongest terms.

The duke of Clarence, by all services in deserting Warwick, had never been able to regain the king's friendship, which he had forfeited by his former confederacy with that nobleman. He was still regarded at court as a man of a dangerous and fickle character; and the imprudent openness and violence of his temper, though it rendered him much less dangerous, tended extremely to multiply his enemies, and to incense them against him. Among others, he had the misfortune to give displeasure to the queen herself, as well as to

his brother the duke of Gloucester, a prince of the deepest policy, of the most unrelenting ambition, and the least scrupulous in the means which he employed for the attainment of his ends. A combination between these potent adversaries being secretly formed against Clarence, it was determined to begin by attacking his friends; in hopes, that if he patiently endured this injury, his pusillanimity would dishonour him in the eyes of the public; if he made resistance, and expressed resentment, his passion would betray him into measures which might give them advantages against him. The king hunting one day in the park of Thomas Burdet, of Arrow, in Warwickshire, had killed a white buck, which was a great favourite of the owner; and Burdet, incensed at the loss, became highly passionate, and wished the horns of the deer in the belly of the person who had advised the king to commit that insult upon him. This expression of resentment, which might have been overlooked had it fallen from any other person, was rendered criminal in that gentleman, by the friendship in which he had the misfortune to live with the duke of Clarence: he was tried for his life: the judges and jury were found servile enough to condemn him; and he was publicly beheaded at Tyburn for this pretended offence†. About the same time, one John Stacey, an ecclesiastic, much connected with the duke, as well as with Burdet, was exposed to a like iniquitous and barbarous prosecution. This clergyman, being more learned in the mathematics and astronomy than was usual in that age, lay under the imputation of necromancy with the ignorant vulgar; and the court laid hold of this popular rumour to effect his destruction. He was brought to his trial for that imaginary crime; many of the greatest peers countenanced the prosecution by their presence; he was condemned, put to the torture, and executed.

The duke of Clarence was alarmed when he found these acts of tyranny exercised on all around him: he reflected on the fate of the good duke of Gloucester in the last reign, who, after seeing the most infamous pretences employed for the destruction of his nearest connexions, at last fell himself a victim to the vengeance of his enemies. But Clarence, instead of securing his own life against the present danger by silence and reserve, openly justified the innocence of his friends, and exclaimed against the iniquity of their prosecutors. The king offended with his freedom, committed him to the Tower, summoned a parliament, and tried him for his life before the house of peers, the supreme tribunal of the nation, January 16th, 1478. The duke was accused of arraigning public justice, by maintaining the innocence of those who had been condemned in courts of judicature; and of inveighing against the iniquity of the king, who had given orders for their prosecution. Many rash expressions were imputed to him, and some which reflected on Edward's legitimacy; but he was not accused of any overt act of treason; and even the truth of these speeches may be doubted of, since the liberty of judgment was taken from the court, by the king's ap-

\* This prince possessed all the ambition and courage of a conqueror; but being defective in policy and prudence, qualities no less essential, he was unfortunate in all his enterprizes, and perished at last in battle against the Switzers; a people whom he despised, and who, though brave and free, had hitherto been in a manner overlooked in the general system of Europe. This event, which happened in the year 1477, produced a great alteration in the views of all the princes, and was attended with consequences which were felt for many generations. Charles left only one daughter, Mary, by his first wife; and this princess being heir of his opulent and extensive dominions, was courted by all the potentates of Christendom, who contended for the possession of so rich a prize. Lewis, the head of her family, might, by a proper application, have obtained this match for the dauphin, and have thereby united to the crown of France all the provinces of the Low Countries, together with Burgundy, Artois, and Picardy; which would at once have rendered his kingdom an over-match for

all its neighbours. But a man wholly interested is as rare, as one entirely endowed with the opposite quality; and Lewis, though impregnable to all the sentiments of generosity and friendship, was, on this occasion, carried from the road of true policy by the passions of animosity and revenge. He had imbibed so deep a hatred to the house of Burgundy, that he rather chose to subdue the princess by arms, than unite her to his family by marriage. He conquered the duchy of Burgundy, and that part of Picardy which had been ceded to Philip the Good by the treaty of Arras; but he thereby forced the states of the Netherlands to bestow their sovereign in marriage on Maximilian of Austria, son of the emperor Frederic, from whom they looked for protection in their present distresses: and by these means France lost the opportunity which she never could recal, of making that important acquisition of power and territory. Hume.

† Habington, p. 475. Hollingshead, p. 702. Sir Thomas More in Kennet, p. 498.



pearance personally as his brother's accuser, and pleading the cause against him\*. But a sentence of condemnation, even when this extraordinary circumstance had not taken place, was a necessary consequence in those times, of any prosecution by the court or the prevailing party; and the duke of Clarence was pronounced guilty by the peers. The house of commons were no less slavish and unjust: they both petitioned for the execution of the duke, and afterwards passed a bill of attainder against him†. The only favour which the king granted his brother, after his condemnation, was to leave him the choice of his death; and he was privately drowned on the 18th of February, 1478, in a butt of malmsey in the Tower: a whimsical choice, which implies that he had an extraordinary fondness for that liquor. The duke left two children by the eldest daughter of the earl of Warwick; a son, created an earl by his grandfather's title; and a daughter, afterwards countess of Salisbury. Both this prince and princess were also unfortunate in their end, and died violent deaths; a fate which for many years attended almost all the descendants of the blood royal in England.

Shortly after the death of the duke of Clarence, the term Lewis XI. and Edward had taken to decide their differences by arbitration, was farther prolonged, and the duke of Gloucester appointed by Edward one of the arbitrators in the room of the duke of Clarence.

Whilst these things were in agitation in England, the truce between Lewis and Maximilian being expired, Maximilian entered Burgundy, and took several places with a great deal of ease, by reason of the people's affection for the house of Burgundy. In all appearance he could have taken possession of the Two Burgundies, if he had received from the emperor, his father, succours proportionable to his necessities: this was what Lewis feared very much, and as he was sensible it was Edward's interest to join forces with Maximilian, he omitted nothing that could help to divert him from it. In the month of January, he sent a full power to prolong the truce till a hundred years after the death of the two kings, and to oblige him to the payment of the yearly pension of fifty thousand crowns, so long as the truce should last. Moreover, the ambassadors were empowered to prolong for three years the term agreed upon, to decide the difference by arbitrators, and to promise for Lewis and his successors, to prolong it every third year, till all things were ended. The ambassador being come to London, Edward appointed commissioner to treat with him; and at length the treaty was concluded upon the footing Lewis proposed. But this was not till February 15, 1479. What delayed a little this negotiation was Edward's desire, first to make sure of his daughter Elizabeth's marriage with the dauphin. To that end he sent two ambassadors into France, with power to make the contract of marriage. But in all likelihood Lewis found some excuse to put it off. In the mean time he made the second payment of ten thousand crowns for queen Margaret's ransom.

Edward now addicted himself to his pleasures, having no other design than to pass the residue of his days

in effeminate sloth: but the pleasures which he pursued with so much eagerness; were more chargeable to him than the most burdensome war: and therefore his coffers being empty, in the year 1479 many illegal methods to extort money from his subjects were made use of. That which occasioned the greatest terror, was his procuring the rich to be accused of high-treason, in order to confiscate their estates to his own use, or to extort from them large sums for their pardon. In the mean time, he kept on foot with several princes, negotiations which tended to secure him the continuance of that ease he was so very fond of. The first of these negotiations was with the king of Denmark, the alliance they had made not having been well kept on either side: At last, that prince having sent ambassadors to London, the alliance was confirmed and renewed, and a congress appointed at Hamburg, to decide all their differences. One of the conditions of the treaty was, that the English should not set foot in the isle of Iceland without a pass from the king of Denmark. Two days after the conclusion of this treaty, the French ambassador and the king's commissioners signed that treaty which we have before mentioned, whereby Lewis XI. bound himself and his successors to pay to the king of England fifty thousand crowns every year, as well during the life of the two kings, as a hundred years after, to commence at the death of the longest liver. Next day they signed also another treaty, whereby the truce, friendship, and good understanding between the two kings was to last during their lives, and between their successors, during the space of a hundred years, with promises of assisting one another against their rebellious subjects. The other articles were, that if either of the two princes should be driven out of his kingdom, the other should be obliged to receive him, and assist him with all his forces: that they should make no alliance without each other's consent: that the king of France should ratify this treaty, and cause it to be confirmed and ratified by the states: and that Edward should get it likewise confirmed by the parliament. Lastly, that the dauphin's marriage with the princess Elizabeth should be completed, according to the agreement at Amiens, and that this new treaty should not be derogatory to the former. It does not appear that Lewis XI. ever ratified this treaty, which in all appearance was made only to amuse Edward. Lewis knew very well that he was bound to nothing without a formal ratification, which doubtless he had resolved not to grant, though the treaty contained only such articles as he himself had proposed. This was one of Lewis's artifices, against which it is a very hard matter to be provided. With princes of this character the shortest and surest way would be never to enter into a negotiation.

As Lewis amused Edward with the marriage of Elizabeth with the dauphin, Maximilian used the same means to gain him to his interests. Though Philip his son was only a year old, he offered Edward to marry him with Anne his third daughter. Edward accepted the proposal; and in the mean time, till they could agree upon the marriage articles, the two princes sent one another letters patents, promising not to marry

\* The following articles were exhibited against him: 1. That, by his seditious discourses, he had endeavoured to draw upon the king the hatred of his subjects, by accusing him of having unjustly put Burdet to death. 2. That he had bribed some of his domestics, and others, to spread such a report. 3. That he had said the king made use of necromancy to know the future. 4. That he had taxed the king with having poisoned innocent persons, whom he thought he could not put to death in a legal way. 5. That he had affirmed, the king was not son of the duke of York, but of one the duchess their mother had admitted to her bed. 6. That inferring from thence, that the crown was fallen to him, he had discovered his design to seize it, by requiring many to swear to serve him against all persons living, not excepting the king himself. 7. That he had accused the king of using magic to take away his life, by causing him to consume away like a taper. 8. Lastly, that he had openly shewn his design to dethrone the king, by

procuring an authentic copy of the act of parliament passed during the earl of Warwick's usurpation, whereby the crown was adjudged to him, after the death of Henry VI. and his heirs male.

† The measures of the parliament, during that age, furnish us with examples of a strange contrast of freedom and servility: they scruple to grant, and sometimes refuse to the king the smallest supplies, the most necessary for the support of government, even the most necessary for the maintenance of wars, for which the nation, as well as the parliament itself, expressed great fondness: but they never scruple to concur in the most flagrant act of injustice or tyranny, which falls on any individual, however distinguished by birth or merit. These maxims, so ungenerous, so opposite to all principles of good parliaments, are very remarkable in all the transactions of the English history for more than a century after the period in which we are now engaged. Hume.



their children without each other's consent during the space of three years.

About the same time Edward had thoughts of marrying Catharine, his fourth daughter, to John, infant of Castile and Arragon, son of king Ferdinand, and Isabella of Castile. It even appears by the Collection of Public Acts, that he sent ambassadors into Spain to forward the business, which, however, proved of non-effect. Lewis, in the mean time, duly paid the pension of fifty thousand crowns, as appears by several acquittances in the above collection. We find there likewise, that in the month of May, 1480, he completed the payment of Margaret's ransom. Lewis readily performed all the articles of the treaty of Amiens, except that of the dauphin's marriage, which he still found some fresh excuse to shift off, though he persisted in his promise to fulfil that engagement. Edward, surprized at all these delays, called a council upon that occasion, wherein it was resolved, that he should send ambassadors to Lewis, peremptorily to demand the performance of his promise, and the ratification of the late treaty at London. The lord Howard, and Thomas Langton, treasurer of the church of Exeter, were pitched upon for that embassy. Howard, who was one of Edward's confidants, was, in all appearance, the chief of those that had suffered themselves to be won by the king of France's favours. In the mean time Lewis was in no small trouble. He had given his word for the marriage, and had even bound himself by a treaty, though he had never any thoughts of concluding it. On the other hand, his ambassadors at London had signed another treaty upon the basis he himself had proposed; and yet he was bent not to ratify it. His sole aim had been to amuse Edward, for fear he should join with the arch-duke. To get out of this perplexity, he resolved to dissemble and to continue to promise the completing of the match, whilst, by ambassadors whom he had sent to Scotland, he endeavoured to persuade James II. to break the truce with England. This negotiation succeeded to his wish. King James suffered himself to be guided by three favourites whom he had raised from a low estate, and took advice of no lord of his realm. It was no hard matter for the king of France to bribe these mercenary souls, who promised to induce their master to break the truce with the English. And indeed, very soon after James made preparations which plainly discovered his design. Edward, surprized at the rupture likely to take place between the king of Scotland and him, was at no great loss to guess the author of it. He dissembled, however, his resentment, and contented himself with ordering an army to be raised, the command whereof he resolved to confer on the duke of Gloucester his brother. Then he began to open his eyes, and perceive the treachery of the king of France, who had amused him with false promises ever since the death of the duke of Burgundy; though he had let slip the fair opportunities that had offered, yet he turned his thoughts to revenge. This is what appears by several pieces of the Collection of the Public Acts, all bearing date in the year 1480, before the Scots had actually broke the truce. First, he sent ambassadors to Castile, to make reparation for certain outrages committed by the English during the earl of Warwick's administration, contrary to the alliance between Castile and England. When a prince offers of his own accord to repair the damage his subjects have done to another nation, there is room to presume it is done with a view to some other design. Edward's was to engage the king of Castile to make war with France, or at least to hinder him from assisting Lewis. In the second place, he ratified the treaty his ambassadors had concluded at Hamburgh, with the king of Denmark. Thirdly, he confirmed the treaty of alliance he had made with the late duke of Burgundy, and promised to send Maximilian and Maria an aid of six thousand men, pursuant to the treaty. The arch-duke obliged himself or his party to pay him fifty thousand crowns yearly, in case the king of France should discontinue his pension,

and a war should ensue between them upon that account. Lastly, the marriage of Philip, earl of Charolois, son of Maximilian and Maria, with Ann, daughter of Edward, was concluded, with promise on both sides to have it consummated as soon as the parties should be of age. By this treaty Edward gave with his daughter a hundred thousand crowns: but, by a subsequent treaty, the dowry was looked upon as an equivalent for the fifty thousand crowns, which the arch-duke was obliged to pay instead of the king of France, and they discharged one another from the engagement. By another treaty, Edward promised to use his endeavours to procure Maximilian a truce with the king of France, to offer to become arbitrator between Lewis; and if Lewis refused, he engaged to declare against him. This proceeding was not a very fair one; but apparently, he did not think himself obliged to act more sincerely than Lewis had done with respect to him.

Edward having thus settled his affairs with Maximilian and Maria, sent again ambassadors to France, to press the marriage of his daughter Elizabeth with the dauphin. If Lewis had complied, it is very likely he would have made no scruple to drop the arch-duke. But Lewis having put him off as usual, with some trivial excuse, he fitted out a fleet, and gave the command of it to John Middleton, to go to the assistance of his new allies.

In June, 1481, the Scots made an irruption into the borders of England before Edward's army was ready; and carried off some booty. Edward was not over hasty to send an army against Scotland, as well because he hoped still to make up matters amicably, as because he was very sensible that king James's circumstances were such, that he could not do him much hurt. His grand design was to be revenged of Lewis XI. for although that prince, with his usual dissimulation, still put him in hopes that he would perform his promise as to the marriage, and though he punctually paid twenty-five thousand crowns every six months, Edward plainly perceived, that he intended not to be as good as his word with regard to the first article, and that a rupture would be unavoidable. Upon this account he renewed his alliance with the duke of Bretagne, and concluded the marriage of the prince of Wales his son, with Ann, eldest daughter of that duke, or in case he should happen to die before consummation, with Isabella her younger sister, upon these conditions; that if there should be several sons, the second, or he that was next to him that should succeed to the crown of England, should be duke of Bretagne, and reside in the country; that if the duke should hereafter have a son born in wedlock, he should espouse Edward's daughter that should be most suitable to his age; that if Edward had no daughter to give him, the duke should not marry his son without the king's consent. Lastly, it was agreed betwixt them, that if the king of France should make war upon the duke of Bretagne, Edward should send the duke an aid of three thousand men at his own charge. The duke was obliged to do the same in case of a war between England and France.

In the beginning of the year 1482, Edward renewed his alliance with Portugal. Shortly after he sent ambassadors to Castile, to conclude the marriage of his daughter Catharine with the infanta: but that business succeeded not to his wish. All these treaties, these renewings of alliances, these projects of marriages, shew that Edward intended to wage war with France.

Whilst Edward was intent upon every thing that could contribute to the good success of his undertaking, Alexander, duke of Albany, brother of the king of Scotland, made his escape out of his confinement, and came by sea into England, to implore the king's protection. Besides the general reasons which all the Scots had to complain of their sovereign, Alexander had very great ones in particular. The death of the duke his brother, and his own imprisonment, made him eagerly seek the means to be revenged; and ambition, without doubt,



doubt, was no small spur to his passion\*. We find in the Collection of Public Acts a treaty which Alexander made with Edward, wherein he assumes the title of king of Scotland, and promises to do homage for that kingdom to the crown of England. He binds himself likewise to break the ancient alliance of France with Scotland, and to make one with Edward against Lewis XI. to yield up Berwick to England, and to marry Cicely, Edward's daughter, betrothed to prince James his nephew, provided that, by the decree of the church, he could be divorced from his wife. That in case he could not, he promises not to marry his son but to a princess of the royal family of England. Edward obliges himself on his part, to aid him with all his power to take possession of the throne of Scotland. This treaty being signed, Edward sent an army against Scotland, under the command of the duke of Gloucester his brother, whom the duke of Albany would accompany, but without taking, however, the title of king. Apparently the treaty we have been speaking of, was a secret known but to few persons. At the same time Edward gave the command of a fleet to Robert Ratcliff, to act against Scotland. The duke of Gloucester having advanced to his borders of the two kingdoms, took the town of Berwick, and, not being willing to lose time in besieging the castle, left it invested, and marched directly to Edinburgh.

Whilst the duke of Gloucester was moving forward at the head of his army, king James, who had entered upon this war without any manner of reason, and without having taken measures for the vigorous prosecution of it, was at a great loss what to do. The only means he had to withstand the English, was to assemble the nobility; but he durst not undertake it, knowing how much dissatisfied they were with him and his ministers. There was a necessity, however, to resolve upon it, or to cast himself upon the mercy of the English. Wherefore having summoned the lords, they came with their troops to Louth, where the king expected them. But to what straits soever that prince was drove, he altered not his conduct. His three favourites were his sole council, and not a man hardly dared to enter his presence, but themselves or their creatures. The nobles, full of indignation at this management, were resolved to embrace so fair an opportunity to get rid of those that beset the king. After having consulted together about the matter, some of them went to the king's apartment well attended, and having carried off the three favourites who had flattered themselves in his room, they brought them to the army, where they caused them immediately to be hanged. James, in a fright, dreading they would make an attempt upon his life, promised to reform his conduct for the future. But a few days after he withdrew to the castle of Edinburgh. So that the army being without a leader, disbanded themselves, and the lords returned to their own homes. The duke of Gloucester having had intelligence of this confusion, hastened his march to Edinburgh, and entered the city without opposition. He wished to have had a conference with the king, but it was not possible to get it proposed to him. This obstinacy not to hearken to any thing, obliged the duke of Gloucester to publish, by sound of trumpet, in all the quarters of Edinburgh, that if, before the month of September, the king of Scotland would not observe the treaties made with the king of England, he would put the whole kingdom to fire and sword. King James's engagements were chiefly to keep the truce, and pay back the money he had received for the dower of the princess Cicely, betrothed to the prince his son. To which the duke of Gloucester added, that he should recall the duke of Albany, and restore him to his estate and honour. James equally unable to resist his enemies, and to perform his engage-

ments, made no answer. In the mean time the nobles assembled at Haddington, and sent deputies to the duke of Gloucester, to acquaint him, that it was their earnest desire that the intended marriage should be consummated, and that it should not be their fault if the truce was not punctually observed. The duke of Gloucester replied, that the marriage not having been projected but purely to keep up a good understanding between the two nations, and king James having designedly broke it without any provocation, he did not know whether the king his brother desired the match should be consummated: that, however, he had orders to receive the sums that had been paid in part of the princess's dower: that as to the truce, they might be sure it would be kept by England, provided the king his brother was put in possession of the castle of Berwick, or at least, the Scots would promise not to give any assistance to the besieged. Affairs standing thus, the duke of Albany demanded of the Scotch lords a safe conduct, and having obtained it, he went with them. In the conference it was agreed, "That the duke of Albany should be made regent of Scotland: that the citizens of Edinburgh should be obliged to pay the king of England the money James had received, in case the marriage intended should not take effect: lastly, that the castle of Berwick should be surrendered to the duke of Gloucester." For the duke of Albany's private security, the archbishop of St. Andrew, the bishop of Dunkeld, the high chancellor, and the earl of Argyle, bound themselves to procure him a general pardon for all crimes whatever, even for attempting to dethrone the king, and to get him restored to his whole estate. On the other hand, the duke promised to acknowledge the king his brother for his lawful sovereign, and to swear allegiance to him. This gives ground to presume, that the treaty he had made with Edward was known in Scotland, or that the duke thought proper to discover it, that it might be included in the pardon. This agreement being made, the duke of Albany gave over his project of mounting the throne, either out of generosity, or because he believed he should find it too difficult a task. On the other side, the duke of Gloucester passed some time at Newcastle, till the king his brother should let him know his pleasure touching his daughter's marriage.

The duke of Albany seeing himself thus master of the kingdom, restored the king his brother to his former state, without reserving to himself any thing but his own estate, and the glory of his generosity. James pleased, as we may believe, to have got off thus for a little fear, seemed at first to behave in a very different manner from what he had done before: presently after, he resolved to go to Amiens and visit the relics of St. John, or perhaps to take new measures with Lewis XI. But we cannot determine whether he put his design in execution, though we find in the Collection of the Public Acts a safe conduct for him and a thousand attendants. Be that as it will, his dissimulation lasted not long. He fell to his old course of life, and resumed his enmity to his brother, with a resolution to dispatch him out of the way. His design was kept so private, that when the duke was told of it, he had but just time to throw himself into a fishing-boat, and escape to the castle of Dunbar with a few friends. From thence he sent into England the earl of Angus and some others, to renew with Edward the treaty they had made last year, and which was set aside by the accommodation which intervened. This treaty was in effect confirmed February 11, 1483, with an addition of some articles. But Edward's death, which happened a short time after, prevented it from being put in execution. The duke of Albany having, in the mean while, pursuant to the treaty, put the fortrels of Dunbar into the hands of the

\* The English and Scotch historians have limited his desire of revenge, to some general views of bringing the king his brother into the right way, and procuring to himself the restitution of his estate. But the Collection of the Public Acts furnishes authentic evidences, that Alexander's design was to obtain possession of the throne.



English, and seeing no appearance of being succoured, withdrew into France, where he was unfortunately killed with the splinter of a lance, at a tournament by the duke of Orleans, who was afterwards king of France under the name of Lewis XII.

The war with Scotland being ended, Edward turned all his thoughts to the war he intended to carry into France. But he was far from having so fair an opportunity to be avenged of Lewis XI, as he had before the rupture with Scotland. Maria, duchess of Burgundy, being killed by a fall from her horse in March 1481, the arch-duke, her spouse, had so little authority among the Flemings, that he was constrained to suffer his children, by that princess, to remain in the hands of the Gantois. Then Lewis XI. endeavouring to make the Flemings dread the power of the house of Austria, persuaded Gantois to give in marriage to the dauphin his son, Margaret, daughter of the deceased duchess, with the earldoms of Artois, Burgundy, Maconnois, Auxerre, and Charolais. This negotiation was carried on with that secrecy, that Edward had no intelligence of it; inasmuch that Lewis still continued to amuse the English ambassadors, even after it was ended to his wish. The first news they had of it was the arrival of the young dauphiness, two years old, who was brought to Paris in April 1482. The nuptials were solemnized in July. This was a very great affront to Edward, who had caused the princess his daughter, to be styled Madam the Dauphiness. He had, perhaps, forgot the affront he himself had put upon Lewis with regard to his own marriage, or else he imagined that love would excuse him: but Lewis thought himself no less excused by politics, and what kings call reasons of state. Edward now fired with indignation, bent all his thoughts to revenge: but it was too late, the opportunities he had let slip were past recovery. He could no longer rely upon the assistance of the Flemings, who had just shewn so openly their attachment to the interests of France. The duke of Bretagne was seized with a melancholy, which rendered him incapable of any considerable undertaking. The king of Scotland had no reason to be pleased, and all that Edward could expect from the alliance he had made with the kings of Spain and Portugal, was, that they would not give any assistance to Lewis: so that to be revenged, Edward must, like Henry V. attack France with the forces of England alone; but France was very far from being in the same circumstances, as when Henry V. began the war. Nevertheless, in spite of the little likelihood of succeeding in such an undertaking, Edward was resolved to try. To that purpose, he assembled all the lords that were at court or about London, and in a very moving speech, represented to them how great reason the English nation, and he himself in particular, had to resent the egregious affronts put upon them by the king of France. He forgot not to display the claim which the kings of England had to the crown of France. That was the chief thing which would touch the hearts of the English. In short, he added whatever he thought capable to persuade them, not only that it was necessary to go to war with France, but also that there was reason

to expect good success. There is no need of much eloquence to induce the English to wage war with that country. All the lords, with one accord, declared that they thought the war just and necessary, and assured the king, they were ready to stand by him with their lives and fortunes. The report being spread over the kingdom, that war with France was resolved upon, an extraordinary joy appeared in the countenances of the multitude, as if they had received news of some great victory.

But whilst the preparations were making for this important war, which was quickly to begin, Edward was seized with a mortal distemper, which discovered to him the vanity of all his projects. Finding his end approach, he beheld with another eye than he had done before, all that had wholly taken up his thoughts during his past life; and, it is pretended, that he shewed marks of a sincere repentance. But, in the last moments, none but the great Searcher of hearts, can judge of the sincerity of what the tongue expresses. Edward died the 9th of April, in the forty-second year of his age, after a reign of twenty-two years, and one month. The cause of his death is variously reported. Some accuse the duke of Gloucester of poisoning him; but this accusation being grounded upon no proof, ought not to be too hastily credited. Philip de Comines pretends, that Edward died with grief, at being deceived by Lewis XI. But we are to consider what he says only as a bare conjecture, especially seeing Edward was convinced of Lewis's insincerity two years before. The most probable opinion is, that he died of a lump, having been used to endeavour to divert his cares with excessive eating and drinking\*.

We are now to consider the character of Edward IV. but we must first remark, that a man must be upon his guard with respect to the historians that have spoken of this prince, as well as of Richard III. his brother. The greatest part wrote at a time when the throne was filled with the princes of the house of Lancaster, who were extremely jealous of their rights, and would not willingly bear that they should be touched upon, or that the kings of the house of York should be well spoken of. Those that wrote afterwards, when the civil wars were forgotten, have transcribed what they found in their first historians, and have frequently given for truth, what was only the effect of the prejudice or policy of the former historians. For our part, we shall endeavour to give his real character, without extolling his virtues, or concealing his bad qualities.

When Edward ascended the throne, he was one of the handsomest men in England, and perhaps in Europe. His noble mien, his free and easy way, his amiable carriage, together with an undaunted courage, gained him esteem and affection of all.

Philip de Comines affirms, that he owed his elevation to the throne, to the inclination which the London ladies had for him. But that would have been of little moment, had he not likewise had the affections of other husbands, and, in general, of the major part of the kingdom. If he had not depended upon the hearts of the people, he would never have ventured to attempt to

\* Edward the IVth's monument is placed in the new chapel of Windsor, which himself had founded. It is composed of steel polished and gilt, representing a pair of gates between two towers of curious workmanship after the Gothic manner. This tomb is fronted with touchstone, and stands in the north arch near the high altar. His epitaph, as registered in a book in the college of arms, is as follows:

*"Carmina que letus cecini, cano tristia mestus,  
Heu pater, heu pastor, heu rex, heu bellicus armis,  
Heu doctus Salomon, Jonachus, Arthurus in hoste,  
Heu vere legis custos, heu gloria plebis,  
Edwardus Quartus Angliæ rex, et decus orbis,  
Tollitur a nobis Rosa mundi solq; triumpho,  
Absolom in vultu, Salomon tristi quasi cultu,  
Templi fundator, castri novus et recreator.  
Ast nobis natis qui sit jam quesu beatus,  
Gallus obedit ejus vultu, luctusque subegit.*

*Protector Christi fidei vitulus nece tristi;  
Celsa petrus astris, jacuit jam columna castri,  
Sol latet obscurus, gravibus dolet Anglia curis  
Castris choris plena psallentum sunt per amens  
Olim jam flentum, vix verba referre volentum  
Luce migrat celis nona rex noster Angliæ  
Edwardi, Christi matris, precibusque rogatus  
M. semel. C. quater octo decus tristes castri  
Tristis sed regni vicennus trinus annos  
Natus quo mense necat hunc mors vultus castri  
Anglia plange parens regis, sic Noster natus  
Rex tuus ex jure moritur cur Gallia confusa  
Regum nunc reges plangent, genti gentes  
Princeps, duxque, comes, gentrix regina proles  
Spiritus creant reges petat alta polorum  
Omnes Anglige quia rex et tutor erant.*





EDWARD V.



RICHARD III.



recover the throne with the help of two thousand men, who were most of them foreigners. For some time he was exceeding liberal; but at length he grew covetous, not so much for his natural temper, as out of a necessity to bear the immoderate expences which his pleasures ran him into. Though he had a great deal of wit, and a sound judgement, he committed, however, several over-sights. The first was, when he suffered himself to be surprized by the earl of Warwick. But that fault was in a great measure repaired, by the dexterity and readiness wherewith he got out of the hands of the archbishop of York. The second was, to trust such persons as betrayed him, and were sold to France. The third was, to suffer himself to be so long imposed upon by Lewis XI. who was universally condemned for his ill faith. Most of the historians have mightily aggravated this matter, as being ignorant that from the year 1480, he began to take measures to wage war with Lewis, as appears from the Collection of the Public Acts. He is blamed likewise upon two other accounts, wherein it is more easy to justify him. First, for having broke off the war already begun with France for an inconsiderable sum of money, at a time when he might have flattered himself with a prospect of success. But if a man fully examines the circumstances of that affair, he will easily perceive, that being forsaken by the dukes of Burgundy and Bretagne, his allies, he would have acted a very rash part to pursue with his own forces alone, the execution of so great an enterprize, wherein he would not, in all appearance, have come off with honour. The other thing he is blamed for, is, his not joining with the heirs of Burgundy, to stop the progress of the king of France. This was really a fault; but it may be considerably lessened, by reflecting on the examples of several princes eminent for their abilities, who have behaved in the same manner on the like occasions. Uncertain of the event, princes often imagine they shall be great gainers by setting their neighbours at variance, in hopes they will awaken one another. But it falls out sometimes, that the issue answers not their expectations. It is certain, that if Maria of Burgundy, and afterwards the arch-duke her husband, had more vigorously withstood the attacks of Lewis XI. nothing was more capable to render Edward the umpire of Europe, than the mutual weakening of these two powers. By this conduct he made himself courted by the king of France and the duke of Burgundy, because he kept himself always in a condition to make the balance incline to one side. It may be, he was in hopes it would always be the same: but he had to do with a prince of more cunning than himself. These are properly political faults, which are often considered as such, only because of the events, which are not in the power of man. The crimes Edward is more justly charged with, are his cruelty, perjury, and incontinence. The first appears in the great number of princes and lords that he put to death on the scaffold, after he had taken them in battle. If ever there was room to shew mercy in case of rebellion, it was at that fatal time, when it was almost impossible to stand neuter, and so difficult to choose the justest side between the two houses that were contending for the crown. And yet we do not see that Edward had ever any regard for that consideration. The death of the prince of Wales, son of Henry VI. murdered almost in his presence; and that of Henry himself, innocent as he was, will perhaps be justified in some measure, by those who think nothing unlawful when the securing a throne is in question; but they will never be excused by those who have any tincture of religion. As to the death of the duke of Clarence, we cannot declare, whether it would be possible to find the least excuse, if it were true, as it seems to be, that the duke was innocent. Ed-

ward's breach of faith was visible in the unjust punishment of lord Wells and his brother-in-law, after he had enticed them out of sanctuary by a safe-conduct; in punishing the bastard of Falconberg, whom he had pardoned: and lastly, in the oath he took at York, even when he was determined to break it. All these actions are to be reckoned among those that cannot be justified but by political reasons; a poor excuse in all matters where honour and religion are concerned. As for Edward's incontinence, we may with truth declare, that his whole life was one continued scene of excess that way. He had abundance of mistresses, but especially three, of whom he said, one was the merriest\*, the other the wittiest, and the third the holiest in the world, since she would not stir from the church but when he sent for her. He had, however, but two natural children, both by Elizabeth Lucy†, to whom it was said he was contracted before his marriage; Arthur, surnamed Plantagenet, who was created viscount L'Isle by Henry VIII. and Elizabeth, who was wife of Thomas Lumley. What is most astonishing in the life of this prince, is his good fortune, which seemed to be prodigious. He was raised to the throne after the loss of two battles, one by the duke his father, the other by the earl of Warwick, who was then devoted to the house of York. The head of the father was still upon the walls of York when the son was proclaimed at London. Edward escaped, as it were by miracle, out of his confinement at Middleham. He was restored to the throne, or at least received into London, at his return from Holland, before he had overcome, and whilst his fortune, yet depended upon the issue of a battle, which the earl of Warwick was ready to give him. In a word, he was ever victorious in all the battles wherein he fought in person.

Elizabeth his queen brought him a numerous issue; namely, three princes, and eight princesses, of whom one son and two daughters died in their infancy. We shall soon see the fate of his eldest son, Edward, who succeeded him, and of Richard, duke of York, his brother; Elizabeth, the eldest of the daughters, had been contracted to the dauphin, son of Lewis XI. who was afterwards king of France, by the name of Charles VIII. In process of time, she was married to Henry VII. king of England. Cicely, who had been betrothed to the prince of Scotland, espoused lord Wells; and afterwards, upon his death, some other person. She died without issue. Ann had been contracted to Philip, son of Maximilian of Austria, and Maria of Burgundy. But that match not taking effect, she married Thomas Howard, duke of Norfolk, by whom she had two sons, who died without issue. Bridget was a nun. Mary, who had been promised to the king of Denmark, died at Greenwich before her marriage was solemnized. Catharine, whom the king her father would have given to the infant of Spain, had for husband William Courtney, earl of Devonshire, by whom she had a son who was created marquis of Exeter, in the reign of Henry VIII.

## C H A P. II.

## E D W A R D V.

EDWARD V. was proclaimed king of England on the 9th of April, 1483, being between twelve and thirteen years of age. At that time he resided in the castle of Ludlow, on the borders of Wales; whither he had been sent, that the influence of his presence might overawe the Welsh, and restore the tranquillity of that country which had been disturbed by some late

and Elizabeth Lucy, whose daughter one of his ancestors had married

commotions.

\* Jane Shore, wife to a citizen of London.

† In the life of Monk, duke of Albemarle, there is a genealogical table, which shews him to be descended from Edw. IV.



commotions. His person was committed to the care of his uncle the earl of Rivers\*, confessedly the most accomplished nobleman in England of his time.

The queen, anxious to preserve that ascendent over her son, which she had long maintained over her husband, wrote to the earl of Rivers, that he should levy a body of forces, in order to escort the king to London, to protect him during his coronation, and to keep him from falling into the hands of their enemies. The opposite faction, sensible that Edward was now of an age when great advantages could be made of his name and countenance, and was approaching to the age when he would be legally entitled to exert in person his authority, foresaw, that the tendency of this measure was to perpetuate their subjection under their rivals: and they vehemently opposed a resolution, which they represented as the signal for renewing a civil war in the kingdom. Lord Hastings declared he would depart to his government of Calais: the other nobles seemed resolute to oppose force by force: and as the duke of Gloucester, on pretence of pacifying the quarrel, had declared against all appearance of an armed power, the queen, trusting to the sincerity of his friendship, recalled her orders to her brother, and desired him to bring up no greater retinue than should be necessary to support the state and dignity of the young sovereign. The duke of Gloucester, in the mean time, set out from York, attended by a numerous train of the northern gentry. When he reached Northampton, he was joined by the duke of Buckingham, who was also attended by a splendid retinue; and as he heard that the king was hourly expected on that road, he resolved to wait his arrival, under colour of conducting him thence in person to London. The earl of Rivers, apprehensive that the place would be too narrow to contain so many attendants, sent his pupil forward by another road to Stony-Stratford; and came himself to Northampton, in order to apologize for this measure, and to pay his respects to the duke of Gloucester. He was received with the greatest appearance of cordiality: he passed the evening in an amicable manner with Gloucester and Buckingham; he proceeded on the road with them next day to join the king: but as he was entering Stony-Stratford on the 1st of May, he was arrested by orders from the duke of Gloucester†: Sir Richard Gray, one of the queen's sons, was at the same time put under a guard, together with Sir Thomas Vaughan, who possessed a considerable office in the king's household; and all the prisoners were instantly conducted to Pontefract. Gloucester approached the young prince with the greatest demonstrations of respect, and endeavoured to satisfy him with regard to the violence committed on his uncle and brother: but Edward, much attached to these near relations, by whom he had been tenderly educated, was not such a master of dissimulation as to conceal his displeasure‡. The people, however, were extremely rejoiced at this revolution; and the duke was received in London on the 4th of the same month amid shouts of applause. The queen no sooner received intelligence of her brother's imprisonment, than she foresaw that Gloucester's violence would not stop there, and that her own ruin, if not that of all her children, was finally de-

termined. She therefore fled into the sanctuary of Westminster, attended by the marquis of Dorset; and she carried thither the five princesses, together with the duke of York§. She imagined that the ecclesiastical privileges which had formerly given protection against the fury of the Lancastrian faction, would not now be violated by her brother-in-law, while her son was on the throne; and she resolved to await there the return of better fortune. But Gloucester, anxious to have the duke of York in his power, proposed to take him by force from the sanctuary; he therefore represented to the privy council, both the indignity put upon the government by the queen's ill-grounded apprehensions, and the necessity of the young prince's appearance at the ensuing coronation of his brother. It was further urged, that the ecclesiastical privileges were originally intended only to give protection to unhappy men persecuted for their debts or crimes; and were entirely useless to a person who, by reason of his tender age, could be under the burden of neither, and who, for the same reason, was utterly incapable of claiming security from any sanctuary. But the two archbishops, cardinal Bouchier the primate, and Rotherham, archbishop of York, protesting against the sacrilege of this measure; it was agreed, that they should first endeavour to bring the queen to compliance by persuasion, before any violence should be employed against her. These prelates, being themselves persuaded of the duke's good intentions, employed every argument, accompanied with earnest entreaties, exhortations, and assurances, to bring her over to the same opinion. She long continued obstinate, and insisted, that the duke of York, by living in the sanctuary, was not only secure himself, but gave security to the king, whose life no one would dare to attempt; while his successor and avenger remained in safety. But finding that none supported her in these sentiments, and that force, in case of refusal, was threatened by the council, she at last complied, and produced her son to the two prelates||.

The duke of Gloucester, being the nearest male of the royal family capable of exercising the government, was appointed protector by the council, without waiting for the consent of parliament. Very few suspected any harm intended to the persons of the young princes, but the duke being a man who had abandoned all principles of honour and humanity, was soon carried by his passion beyond the reach of fear or precaution; and Gloucester, no longer hesitated in removing the other obstructions which lay between him and the throne.—The death of the earl of Rivers, and of the other prisoners detained in Pontefract, was first determined; and he obtained the consent of the duke of Buckingham, as well as of lord Hastings, to this sanguinary measure. Orders were accordingly issued to Sir Richard Ratcliffe, a proper instrument in the hands of this tyrant, to sever the heads of the prisoners from their bodies. The protector then assailed the fidelity of Buckingham by all the arguments capable of swaying a vicious mind, which knew no motive of action but interest and ambition\*\*. Well knowing the importance of gaining lord Hastings, he sounded his sentiments, by means of Catesby, a lawyer, who lived in great intimacy with that nobleman;

\* This nobleman first introduced the art of printing into England. Caxton was recommended by him to the patronage of Edward IV. See the Catalogue of Royal and Noble Authors.

† Hist. Croyl. cont. p. 564, 565.

‡ Sir T. More, p. 484.

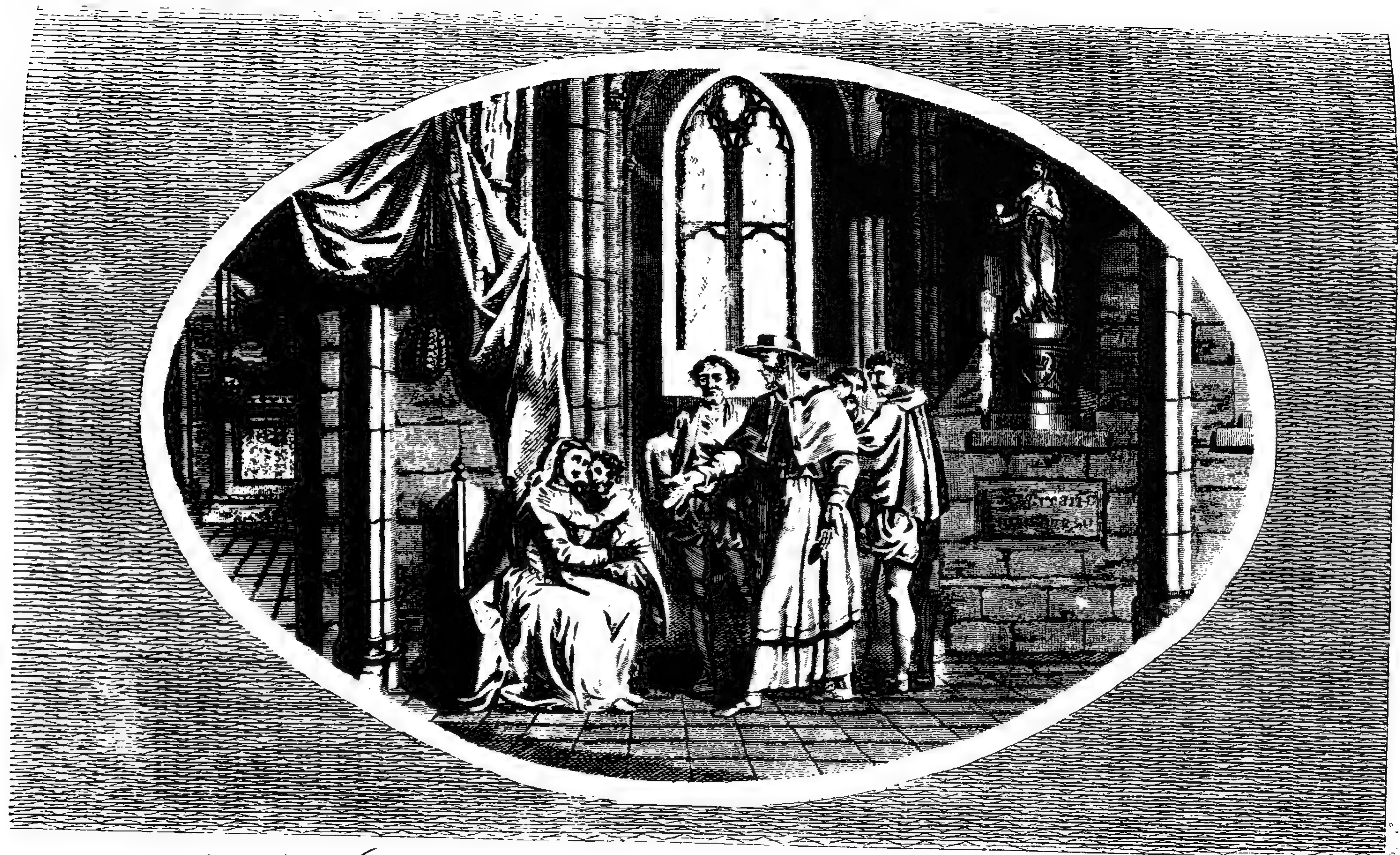
§ Hist. Croyl. cont. p. 565.

|| The queen was on a sudden struck with a kind of presage of his future fate. She tenderly embraced him; she bedewed him with her tears; and bidding him an eternal adieu, delivered him, with many expressions of regret and reluctance, into their custody. Sir T. More, p. 491.

\*\* He represented, says Hume, that the execution of persons so near related to the king, whom that prince so openly professed to love, and whose fate he so much resented, would never pass unpunished; and all the actors in that scene were

bound in prudence to prevent the effects of his future vengeance: that it would be impossible to keep the queen for ever at a distance from her son, and equally impossible to prevent her from instilling into his tender mind the thought of retaliating, by like executions, the sanguinary insults committed on her family: that the only method of obviating these mischiefs, was to put the sceptre in the hands of a man of whose friendship the duke might be assured, and whose years and experience taught him to pay respect to merit, and to the rights of ancient nobility: and that the same necessity which had carried them so far in resisting the usurpation of these intruders, must justify them in attempting farther innovations, and in making, by national consent, a new settlement of the succession. To these reasons he added the offers of great private advantages to the duke of Buckingham; and he easily obtained from him a promise of supporting him in all his enterprises.





*The Queen Dowager of Edward IV, parting with the Duke of York.*

*Published by W. & J. Sturges, 22, Holborn Hill Jan<sup>r</sup> 12, 1793.*

*King sculp.*



*Engraved for Ashburton's History of England.*





but found him impregnable in his allegiance and fidelity to the children of Edward, who had ever honoured him with his friendship. He saw, therefore, that there were no longer any measures to be kept with him; and he determined to ruin utterly the man whom he despised of engaging to concur in his usurpation. On the 13th of June, when Rivers, Gray, and Vaughan, were executed, or rather murdered at Pontefract, by the advice of Hastings, the protector summoned a council in the Tower; whither that nobleman, suspecting no design against him, repaired without hesitation. The duke of Gloucester was capable of committing the most sanguinary and treacherous murders with the utmost difference and coolness. On taking his place at the council-table, he appeared in the most jovial humour imaginable. He seemed to indulge himself in familiar conversation with the counsellors, before they should enter on business; and having paid some compliments to Morton, bishop of Ely, on the good and early strawberries which he raised in his garden at Holborn, he begged the favour of having a dish of them, which that prelate immediately dispatched a servant for. The protector then left the council, as if called away by some other business; but soon after returning with an angry countenance, he asked them, what punishment those deserved that had plotted against his life, who was so nearly related to the king, and was entrusted with the administration of government? Hastings replied, that they merited the punishment of traitors. "These traitors," cried the protector, "are the forcerers, my brother's wife, and Jane Shore his mistress, with others their associates: see to what a condition they have reduced me by their incantations and witchcraft;" upon which he laid bare his shrivelled arm. But the counsellors, who knew that this infirmity had attended him from his birth, looked on each other with amazement: and above all lord Hastings, who, as he had since Edward's death engaged in an intrigue with Jane Shore\*, was naturally anxious concerning the issue of these extraordinary proceedings. "Certainly," my lord, said he, "if they be guilty of these crimes, they deserve the severest punishment." "And do you reply to me," exclaimed the protector, "with your *ifs* and your *ands*! You are the chief abettor of that witch Shore: you are yourself a traitor: and I swear by St. Paul, that I will not dine before your head be brought me." He struck the table with his hand; armed men rushed in at the signal: the counsellors were thrown into the utmost consternation: and one of the guards, as if by accident, or mistake, aimed a blow with a poll-axe at lord Stanley, who aware of the danger, slipped down and crawled under the table; and though he saved his life, he received a severe wound in the head in the protector's presence. Hastings was seized, hurried away, and instantly beheaded on a timber-log which lay in the court of the Tower. Two hours after, a proclamation, well penned and fairly

written, was read to the citizens of London, enumerating his offences, and apologizing to them, from the suddenness of the discovery, for the hasty execution of that nobleman, who was very popular among them: but the saying of a merchant was much talked of on the occasion, who remarked, that *the proclamation was certainly drawn by the spirit of prophecy*. Lord Stanley, the archbishop of York, the bishop of Ely, and other counsellors, were committed prisoners in different chambers of the Tower: and the protector, in order to carry on the farce of his accusations, ordered the goods of Jane Shore to be seized; and he summoned her to answer before the council for sorcery and witchcraft. But as no proofs which could be received even in that ignorant age were produced against her, he directed her to be tried in the spiritual court for her adulteries and lewdness; and she publicly did penance in a white sheet at St. Paul's†. The protector now made no secret of his intentions to usurp the crown. The licentious life of Edward, who was not restrained in his pleasures either by honour or prudence, afforded a pretence for declaring his marriage with the queen invalid, and all his posterity illegitimate. It was asserted, that before espousing the lady Elizabeth Gray, he had paid court to the lady Eleanor Talbot, daughter of the earl of Shrewsbury; and being repulsed by the virtue of that lady, he was obliged, before he could gratify his desires, to consent to a private marriage, without any witnesses, by Stillington, bishop of Bath, who afterwards divulged the secret. It was also maintained, that the act of attainder passed against the duke of Clarence, had virtually incapacitated his children from succeeding to the crown; and these two families being set aside, the protector remained the only true and legitimate heir of the house of York. But as it would be difficult, if not impossible, to prove the preceding marriage of the late king; and as to the rule, which excludes the heirs of an attainted blood from private successions, was never extended to the crown; the protector resolved to make use of another plea still more shameful and scandalous. His partizans were taught to maintain, that both Edward IV. and the duke of Clarence were illegitimate; that the duchess of York had received different lovers to her bed, who were the fathers of these children; that their resemblance to those gallants was a sufficient proof of their spurious birth; and that the duke of Gloucester alone, of all her sons, appeared by his features and countenance to be the true offspring of the duke of York. Nothing can be imagined more impudent than this assertion, which threw so foul an imputation on his own mother, a princess of irreproachable virtue, and then alive; yet the place chosen for first promulgating it was the pulpit, before a large congregation, and in the protector's presence. Dr. Shaw was appointed to preach on the 22d of June in St. Paul's; and having chosen this passage for his text, "Bastard slips shall not thrive‡," he enlarged on all the topics which could discredit

\* Sir Thomas More, who has been followed, or rather transcribed, by all the historians of this short reign, says, that Jane Shore had fallen into connexions with lord Hastings; and this account agrees best with the course of the event: but in a proclamation of Richard's, to be found in Rymer, vol. XII. p. 204, the marquis of Dorset is reproached with these connexions. This reproach, however, might have been invented by Richard, or founded only on popular rumour, and is not sufficient to overbalance the authority of Sir Thomas More. The proclamation is remarkable for the hypocritical purity of manners affected by Richard: this bloody and treacherous tyrant upbraids the marquis and others with their gallantries and intrigues as the most terrible enormities.

† This lady was born of reputable parents in London, was well educated, and married to a substantial citizen; but unhappily, views of interest, more than the maid's inclinations, had been consulted in the match, and her mind, though framed for virtue, had proved unable to resist the allurements of Edward, who solicited her favours: but while seduced from her duty by this gay and amorous monarch, she still made herself respectable by her other virtues; and the ascendant which her charms and vivacity long maintained over him, was all employed in acts of beneficence and humanity. She was still forward to oppose calumny, to protect the oppressed, to relieve the indigent; and her good offices, the genuine dictates of her heart, never wanted the solicitation of presents, or the hopes of reciprocal services. But she lived not only to feel the bitterness of shame imposed on her by this tyrant, but experienced, in old age and poverty, the ingratitude of those courtiers who had long solicited her friendship, and been protected by her credit. No one among the great multitudes whom she had obliged, had the humanity to bring her consolation or relief: she languished out her life in solitude and indigence: and amidst a court inured to the most atrocious crimes, the frailties of this woman justified all violations of friendship towards her, and all neglect of former obligations. Hume.

‡ The whole passage, as it stands in the 3d, 4th, 5th, and 6th verses of the fourth chapter of the Wisdom of Solomon, is as follows: "But the multiplying brood of the ungodly shall not thrive nor take deep rooting from bastard slips, nor lay any fast foundation. For though they flourish in branches for a time; yet standing not fast, they shall be shaken with the wind, and through the force of winds they shall be rooted out. The imperfect branches shall be broken off, their fruit



discredit the birth of Edward IV. the duke of Clarence, and of all their children. He then broke out in a panegyric on the duke of Gloucester; and exclaimed, "Behold this excellent prince! the express image of his noble father! the genuine descendant of the house of York; bearing no less in the virtues of his mind, than in the features of his countenance, the character of the gallant Richard, once your hero and favourite: he alone is entitled to your allegiance: he must deliver you from the dominion of all intruders: he alone can restore the lost glory and honour of the nation." It was previously concerted, that as the doctor should pronounce these words, the duke of Gloucester should enter the church; and it was expected that the audience would cry out, "God save king Richard!" Which would immediately have been laid hold of as a popular consent, and interpreted to be the voice of the nation: but by some mistake, the duke did not appear till after this exclamation was recited by the preacher. The doctor was therefore obliged to repeat this rhetorical figure out of its proper place: the audience, less from the absurd conduct of the discourse, than from their detestation of these proceedings, kept a profound silence: and the protector and his preacher were equally abashed at the ill success of their stratagem.

The duke, however, was too far advanced to recede from his criminal and ambitious purpose. A new expedient was tried to work on the people. The mayor, who was brother to Dr. Shaw, and entirely in the protector's interests, called an assembly of the citizens; where the duke of Buckingham harangued them on the protector's title to the crown, and displayed those virtues of which he pretended that prince was possessed. He next asked them, whether they would have the duke for king? and then stopped, in expectation of hearing the cry, "God save king Richard!" He was surprized to observe them silent; and, turning about to the mayor, asked him the reason. The mayor replied, that perhaps they did not understand him. Buckingham then repeated his discourse with some variation; enforced the same topics, asked the same question, and was received with the same silence. "I now see the cause," said the mayor, "The citizens are not accustomed to be harangued by any but their recorder; and know not how to answer a person of your grace's quality." The recorder Fitz-Williams, was then commanded to repeat the substance of the duke's speech; but the man, who was averse to the office, took care, throughout his whole discourse, to have it understood that he spoke nothing of himself, and that he only conveyed to them the sense of the duke of Buckingham. Still the audience kept a profound silence: "This is wonderful obstinacy," cried the duke: "Express your meaning, my friends, one way or other: when we apply to you on this occasion, it is merely from the regard which we bear to you. The lords and commons have sufficient authority, without your consent, to appoint a king: but I require you here to declare, in plain terms, whether or no you will have the duke of Gloucester for your sovereign?" After all these efforts some of the meanest apprentices, incited by the protector's and Buckingham's servants, raised a

feeble cry, "God save king Richard!" The sentiments of the nation were now sufficiently declared: "The voice of the people was the voice of God:" and Buckingham, with the mayor, hastened to Baynard's Castle, on the 25th of June, where the protector then resided, that they might make him a tender of the crown. Richard being told that a great multitude was in the court, he refused to appear; but being at last persuaded to step forth, he kept at some distance; and asked the meaning of their importunity. Buckingham then acquainted him; that the nation was resolved to have him for king: and the protector harangued the people in the following manner: "Since I see the whole kingdom is resolved not to suffer any of Edward's children to reign, for which I am extremely concerned, I am fully convinced, that the crown can of right belong to none but me, who am the undoubted son of the late duke of York my father. To this title is added, moreover, that of a free election by the lords and commons of the realm, a title which I shall look upon as the chief and most valuable of all. Upon these accounts I graciously receive your petition, and from this moment take upon me the government of the kingdoms of England and France, the former to be governed and defended, and the latter by God's help, and my people's assistance, to be subdued." At this they cried out, "Long live king Richard III!"

This ridiculous farce was soon after followed by a scene truly tragical: the murder of the two young princes. Richard gave orders to Sir Robert Brakenburg, constable of the Tower, to put his nephews to death; but this gentleman, who had sentiments of honour, refused to have any hand in the infamous office. The tyrant then sent for Sir James Tyrrel, who promised obedience; and he ordered Brakenburg to resign to this gentleman the keys and government of the Tower for one night. Tyrrel choosing two associates, John Dighton, and Miles Forest, came in the night-time to the door of the chamber where the princes were lodged; and sending in the assassins, he bade them execute their commission, while he himself staid without. They found the young princes in bed, and fallen into a profound sleep. After suffocating them with the bolster and pillows, they shewed their naked bodies to Tyrrel, who ordered them to be buried at the foot of the stairs, deep in the ground, under a heap of stones. These circumstances were all confessed by the actors in the following reign; and they were never punished for the crime: probably, because Henry, whose maxims of government were extremely arbitrary, desired to establish it as a principle, that the commands of the reigning sovereign ought to justify every enormity in those who paid obedience to them. In the reign of Charles II. occasion required that the workman should remove some stones, and dig in the spot where it was reported the two princes had been buried; and the bones of two persons were there found, which by their size corresponded to the age of Edward and his brother: they were concluded with certainty to be the remains of those princes, and were interred under a marble monument, by orders of king Charles §.

CHAP.

"fruit unprofitable, not ripe to eat, yea meat for nothing. For children begotten of unlawful beds are witnesses of wickedness against their parents in their trial."

\* Sir T. More, p. 496.

† It is remarkable, that Forest rotted away by piece-meal; Dighton, after he had lived for some time despised, died miserably at Calais; Tyrrel was beheaded; and the tyrannical usurper Richard was slain in battle.

‡ This happened in August, 1483.

"The bones of these two princes, by the order of Charles II. were put into a marble urn, and deposited among the monuments of the royal family, in the chapel of Henry VII. with a Latin monumental inscription upon it; which is as follows:

"H. S. S.

RELIQUE

Edwardi VII Regis Angliæ et Richardi Ducis Eboracensis. Hæc fratres germanos tubre Londinæ conclusos injectisque cul-

*citris suffocatos abdite, et inhoneste tumulari jussit pater noster Richardus: perfidus regni prado esse desideratorum, aut et multum querita post annos CXC & I. scilicet in rudibus (scilicet istæ ad facellum turris albæ nuper ducebant) aliæ despectu indicis certissimis sunt reperta XVII. die Julii, A. D. MDCLXXIII. Carolus II. Rex clementissimus, acerbum fratrem miseratus, inter æta monumenta, principibus infelicibus iusta per solvit. Anno Dom. 1678. Anno Regni sui 30."*

IN ENGLISH.

"Here lies the remains of Edward V. King of England, and of Richard, duke of York. These unhappy brothers, who were shut up in the Tower, and there smothered with pillows, by order of their perfidious uncle, Richard, the usurper of the throne, were privately and indecently buried. Their much desired bones, diligently and often sought for, in vain July 17, 1674, one hundred and ninety-one years after their death, were dug up in the ruins of a stair-case, that formerly led to the chapel



## C H A P. III.

## RICHARD III. SURNAMED CROOK-BACK.

**R**ICHARD began his administration with rewarding those who had assisted him in usurping the crown, and gaining by favours; those he thought best able to support his future government. Thomas, lord Howard, was created duke of Norfolk; Sir Thomas Howard his son, earl of Surrey; lord Lovel a viscount by the same name; even lord Stanley was set at liberty, and made steward of the household\*. But the person who, both from the greatness of his services, and the power of his family, was best intitled to favours under the new government, was the duke of Buckingham†; and Richard seemed determined to spare no pains or bounty in securing him to his interests. The duke of Buckingham now claimed the restitution of that portion of the Hereford estate which had escheated to the crown, as well as of the great office of constable, which had long continued by inheritance in his ancestors of that family. Richard readily complied with these demands; and that nobleman was invested with the office of constable; he also received a grant of the estate of Hereford; many other dignities and honours were conferred upon him; and the king thought himself sure of preserving the fidelity of a person whose interest seemed so closely connected with those of the usurpation.

The friendship formed between Richard and the duke of Buckingham was, however, of no long continuance; and the duke, for some cause which historians have not fully made known, was the first to form a conspiracy to overthrow that usurpation he had so zealously contributed to establish.

"Never was there in any country," says Hume, "an usurpation more flagrant than that of Richard, or more repugnant to every principle of justice and public interest. His claim was entirely founded on impudent allegations, never attempted to be proved, some of them incapable of proof, and all of them implying scandalous reflections on his own family, and on the persons with whom he was the most nearly connected. His title was never acknowledged by any national assembly, scarcely even by the lowest populace to whom he appealed; and it had become prevalent, merely for want of some person of distinction who might stand forth against him, and give a voice to those sentiments of general detestation which arose in every bosom. Were men disposed to pardon these violations of public right, the sense of private and domestic duty, which is not to be effaced in the most barbarous times, must have begotten an abhorrence against him; and have represented the murder of the young and innocent princes, his nephews, with whose protection he had been entrusted, in the most odious colours imaginable. To endure such a bloody usurper seemed to draw disgrace upon the nation, and to be attended with immediate danger to every individual who was distinguished by birth, merit, or services. Such was become the general voice of the people; all parties were united in the same sentiments, and the Lancastrians, so long oppressed, and of late so much discredited, felt their blunted hopes again revive, and anxiously expected the consequences of these extraordinary events. The duke of Buckingham, whose family had been devoted to that interest, and who by his mother, a daughter of Edmund, duke of Somerset, was allied to the house of Lancaster, was easily induced to

espouse the cause of this party, and to endeavour the restoring of it to its ancient superiority. Morton, bishop of Ely, a zealous Lancastrian, whom the king had imprisoned, and had afterwards committed to the custody of Buckingham, encouraged these sentiments; and by his exhortations the duke cast his eye towards the young earl of Richmond, as the only person who could free the nation from the tyranny of the present usurper."

Henry, earl of Richmond, was at the court of the duke of Brittany; and his descent, which seemed to give him some pretensions to the crown, had been a great object of jealousy both in the late and in the present reigns. He was the representative of the elder branch of the house of Somerset; he was the heir to the title of that family to the crown; and though its claim, while any legitimate branch subsisted of the house of Lancaster, had always been much disregarded, the zeal of faction, after the death of Edward VI. and the murder of prince Edward immediately conferred a weight and consideration upon it.

Edward IV. finding that the Lancastrians had turned their attention towards the young earl of Richmond as the object of their hopes, thought him also worthy of his attention; and pursued him into his retreat in Brittany, whether his uncle the earl of Pembroke had carried him after the battle of Tewksbury, so fatal to his party. He urged Francis II. duke of Brittany, to deliver up this fugitive, who might be the source of future disturbances in England: but the duke, averse to the dishonourable proposal, would only consent that, for the security of Edward, the young nobleman should be detained in custody; and he received an annual pension from England for the safe-keeping, or the subsistence of his prisoner. But towards the end of Edward's reign, when the kingdom was menaced with a war both from France and Scotland, the anxieties of the English court, with regard to Henry, were much increased; and Edward made a new proposal to the duke, which covered, under the fairest appearances, the most sanguinary and treacherous intentions. He pretended that he was desirous of gaining his enemy, and of uniting him to his own family, by a marriage with his daughter Elizabeth; and he solicited to have him sent over to England, in order to execute a scheme which would redound so much to his advantage. The pretences, seconded as is supposed by bribes to Peter Landais, a corrupt minister, by whom the duke was entirely governed, gained credit with the court of Brittany: Henry was delivered into the hands of the English agents: he was ready to embark: when a suspicion of Edward's real design was suggested to the duke, who recalled his orders, and thus saved the unhappy youth from the imminent danger which hung over him.

The universal detestation of Richard's conduct turned the attention of the nation more towards Henry; and as all the descendants of the house of York were either women or minors, he seemed to be the only person from whom the nation could expect the expulsion of the odious tyrant. Notwithstanding these circumstances, Buckingham and the bishop of Ely well knew, that there would still lie many obstacles in his way to the throne, and that though the nation had been much divided between Henry VI. and the duke of York, while present possession and hereditary right stood in opposition to each other; yet as soon as these titles were united in Edward IV. the bulk of the people had come over to the reigning family; and the Lancastrians had extremely decayed, both in numbers and in authority. It was

chapel of the White Tower, and known by most undoubted tokens. The most compassionate king Charles II. pitying their severe fate, thought fit to order those most unfortunate princes this place amongst the monuments of their forefathers, in the year of our lord 1678, and the thirtieth of his reign."

\* This nobleman had become noxious by his first opposition to Richard's views, and also by his marrying the countess dowager of Richmond, heir of the Somerset family; but sensible of the necessity of submitting to the present government,

he feigned such zeal for Richard's service, that he was received into favour, and even found means to be entrusted with the most important commands of that public and jealous tyrant.

† Buckingham was descended from a daughter of Thomas Woodstock, duke of Gloucester, uncle to Richard II. and by this pedigree he not only was allied to the royal family, but had claims for dignities, as well as estates of a very extensive nature.



therefore suggested by the bishop, and assented to by the duke, that the only means of overturning the present usurpation, was to unite the opposite factions by contracting a marriage between the earl of Richmond and the princess Elizabeth, eldest daughter of king Edward, and thereby blending together the opposite pretensions of their families, which had so long been the source of public disorders and convulsions. The project was first opened to the countess of Richmond by the bishop, through the medium of Reginald Bray her steward; and the plan appeared so advantageous for her son, and at the same time so likely to succeed, that it admitted not of the least hesitation. Dr. Lewis, a Welsh physician, who had access to the queen-dowager in her sanctuary, carried the proposal to her; and found, that revenge for the murder of her brother and of her three sons, apprehensions for her surviving family, and indignation against her confinement, easily overcame all her prejudices against the house of Lancaster, and procured her approbation of a marriage to which the age and birth, as well as the present situation of the parties, seemed so naturally to invite them. She secretly borrowed a sum of money in the city, sent it over to the earl of Richmond, required his oath to celebrate the marriage as soon as he should arrive in England, advised him to levy as many foreign forces as possible, and promised to join him on his first appearance, with all the friends and partizans of her family.

This plan being thus laid, it was secretly communicated to the principal persons of both parties in all the counties of England; and all seemed willing to forward its success and completion. It was not possible that so extensive a conspiracy could be conducted so secretly as to escape the vigilant eye of Richard; he soon received intelligence that his enemies, headed by the duke of Buckingham, were forming some design against his authority. He immediately put himself in a posture of defence, by levying troops in the north; and summoned the duke to appear at court, in such terms as seemed to promise him a renewal of their former amity. But that nobleman, well acquainted with the barbarity and treachery of Richard, replied only, by taking arms in Wales, and giving the signal to his accomplices for a general insurrection in all parts of England. But at that time, October 1483, there fell such heavy rains, as exceeded any known in the memory of man; and the Severn, with the other rivers in that neighbourhood, swelled to a height which rendered them impassable, and prevented Buckingham from marching into the heart of England to join his associates. The Welshmen, partly moved by superstition at this extraordinary event, and partly distressed by famine in the camp, fell off from him; and Buckingham finding himself deserted by his followers, put on a disguise, and took shelter in the house of Bannister, an old servant of his family: but being detected in his retreat, he was brought to the king at Salisbury, and was instantly executed, according to the summary method practised in that age. The other conspirators, who took arms in four different places, at Exeter, Salisbury, Newbury, and Maidstone, hearing of the duke of Buckingham's misfortunes, despaired of success, and immediately dispersed themselves. The marquis of Dorset and the bishop of Ely made their escape beyond sea: many others were equally fortunate: several fell into Richard's hands, of whom he made some examples. His executions seemed not to have been remarkable severe. The earl of Richmond, in concert with his friends; had set sail from St. Malo's, carrying on board five thousand men, levied in foreign parts; but his fleet being first driven back by a storm, he appeared not on the coast of England till after the dispersion of all his friends; and he found himself obliged to return to the coast of Brittany.

On the 23d of January, 1484, Richard ventured to summon a parliament; a measure which his crimes and flagrant usurpation had induced him hitherto to decline. Though it was natural that the parliament, in a contest of national parties, should always adhere to the victor,

he seems to have apprehended, left his title, founded on no principle, and supported by no party, might be rejected by that assembly. But his enemies being not at his feet, the parliament had no choice left but to recognize his authority, and acknowledge his right to the crown. His only son Edward, then about twelve years of age, was created prince of Wales: the duties of tonnage and poundage were granted to the king for life; and Richard, in order to reconcile the nation to his government, passed some popular laws, particularly one against the late practice of extorting money on pretence of benevolence. The king now became sensible, that the only circumstance which could give him security, was to gain the confidence of the Yorkists, therefore he paid court to the queen-dowager with such art and address, made such earnest protestations of his sincere good-will and friendship, that this princess, despairing of success from her former projects, left her sanctuary, and put herself and her daughters under the protection of the tyrant. He now thought it in his power to remove the chief perils which threatened his government. The earl of Richmond, he knew, could never be formidable but from his projected marriage with the princess Elizabeth, the true heir to the crown; and he therefore intended, by means of a papal dispensation, to espouse himself, this princess, and thus to unite, in his own family, their contending titles. The queen-dowager, eager to recover her lost authority, neither scrupled this alliance, which was regarded in England as incestuous; nor felt any horror at marrying her daughter to the murderer of her three sons and of her brother: she even joined so far her interests with those of the usurper, that she wrote to all her partizans, and among the rest, to her son the marquis of Dorset, desiring them to withdraw from the earl of Richmond; an injury which the earl could never after forgive: the court of Rome was applied to for a dispensation: Richard thought that he could easily defend himself during the interval, till it arrived; and he had afterwards the prospect of a full and secure settlement. But those who lay wait to destroy the innocent, generally fall into the snare themselves.

The crimes of Richard, says Hume, were so horrid and so shocking to humanity, that the natural sentiments of men, without any political or public views, were sufficient to render his government unstable; and every person of probity and honour was earnest to prevent the sceptre from being any longer polluted by that bloody and faithless hand which held it. All the exiles flocked to the earl of Richmond in Brittany, and exhorted him to hasten his attempt for a new invasion, and to prevent the marriage of the princess Elizabeth, which must prove fatal to all his hopes. The earl, sensible of the urgent necessity, but dreading the treachery of Peter Landais, who had entered into a negotiation with Richard for betraying him, was obliged to attend only to his present safety; and therefore made his escape to the court of France. The ministers of Charles VIII. who had now succeeded to the throne after the death of his father Lewis, gave him countenance and protection; and, being desirous of raising disturbance to Richard, they secretly encouraged the earl in the levies which he made for the support of his enterprize upon England. The earl of Oxford, whom Richard's suspicions had thrown into confinement, having made his escape, here joined Henry; and inflamed his ardour for the attempt, by the favourable accounts which he brought of the dispositions of the English nation, and their universal hatred of Richard's crimes and usurpation.

The earl of Richmond set sail from Harfleur in Normandy on the 7th of August, 1485, with a small army of about two thousand men; and after a navigation of six days, he arrived at Milford-haven in Wales, where he landed without the least opposition. Richard, who knew not in what quarter he might expect the invader, had taken post at Nottingham, in the center of the kingdom; and having given commissions to different persons in the several counties, as well in Wales as



in England, whom he empowered to oppose his enemy, he purposed in person to fly on the first alarm, to the place exposed to danger. Sir Rice ap Thomas, and Sir Walter Herbert, were entrusted to his authority in Wales; but the former immediately deserted to Henry; the second made but feeble opposition to him: and the earl, advancing towards Shrewsbury, received every day some reinforcement from his partizans. Sir Gilbert Talbot joined him with all the vassals and retainers of the family of Shrewsbury: Sir Thomas Bouchier and Sir Walter Hungerford marched at the head of their friends to share his fortunes; and the appearance of men of distinction in his camp made his cause, even at this early period, wear a favourable aspect.

The danger, however, to which Richard was chiefly exposed, proceeded not so much from the zeal of his open enemies, as from the infidelity of his pretended friends. Scarcely a nobleman of distinction was sincerely attached to his cause, except the duke of Norfolk; and those who feigned the most loyalty were only waiting for an opportunity to betray and desert him. But the persons of whom he entertained the greatest suspicion, were lord Stanley and his brother Sir William; whose connections with the family of Richmond, were never entirely forgotten or overlooked by him. When he empowered lord Stanley to levy forces, he retained his eldest son lord Strange, as a pledge for his fidelity; and that nobleman was, on this account, obliged to employ great caution in his proceedings. He raised a powerful body in Cheshire and Lancaster, but did not openly declare himself; and though Henry had received secret assurances of his friendly intentions, the armies on both sides knew not what to infer from his equivocal behaviour. The two rivals at last approached each other at Bosworth near Leicester, on the 22d of August; Henry, at the head of six thousand men, Richard at the head of an army of above double the number; and a decisive action was hourly expected between them. Stanley, who commanded above seven thousand men, put himself at Eatherstone, not far from the hostile camps; and made such a disposition as enabled him, on occasion, to join either party. Richard's sagacity discovered his intentions from the movements he made; but he concealed it from his own men for fear of discouraging them: he had Stanley's son in his possession as a hostage, but took not immediate revenge on him, as some of his courtiers advised; because he hoped, that so valuable a pledge would induce the father to prolong still farther his ambiguous conduct, and he hastened to decide by arms the quarrel with his competitor; being certain, that a victory over the earl of Richmond would enable him to satiate himself with revenge on all his enemies, concealed as well as open.

"The van of Richmond's army, consisting of archers, was commanded by the earl of Oxford; Sir Gilbert Talbot led the right wing; Sir John Savage the left: the earl himself, accompanied by his uncle the earl of Pembroke, placed himself in the main body. Richard also took post in his main body, and entrusted the command of his van to the duke of Norfolk: as his wings were never engaged, we have not learned the names of the several commanders. Soon after the bat-

tle begun, lord Stanley, whose conduct in this whole affair discovers great precaution and abilities, appeared in the field, and declared for the earl of Richmond. This measure, which was unexpected to the men, though not to their leaders, had a proportionable effect on both armies: it inspired unusual courage into Henry's soldiers; it threw Richard's into dismay and confusion. The intrepid tyrant, sensible of his desperate situation, cast his eye around the field, and, descrying his rival at no great distance, he drove against him with fury, in hopes that either Henry's death or his own would decide the victory between them. He slew with his own hands Sir William Brandon, standard-bearer to the earl: he dismounted Sir John Cheyney: he was now within reach of Richmond himself, who declined not the combat; when Sir William Stanley, breaking in with his troops, surrounded Richard, who, fighting bravely to the last moment, was overwhelmed by numbers, and perished by a fate too mild and honourable for his multiplied and detestable enormities. His men every where sought for safety by flight." Such is the summary, but just, account given by Hume of this famous and decisive battle.

About four thousand men are supposed to have been slain on the side of the vanquished; among these were the duke of Norfolk; lord Ferrers, of Chartley; Sir Richard Ratcliffe, Sir Robert Piercy, and Sir Robert Brackenbury. The loss was inconsiderable on the side of the victors. Sir William Catesby, a great instrument of Richard's crimes, was taken, and soon after beheaded, with some others, at Leicester. The body of Richard was found in the field covered with dead enemies, and all besmeared with blood: it was thrown carelessly across a horse; was carried to Leicester amidst the shouts of the insulting spectators; and was interred in the Grey-Friars church of that place\*.

Those historians who favour Richard maintain, that he was well qualified for government, had he legally obtained it; and that he committed no crimes but such as were necessary to procure him possession of the crown. This is a poor apology, when it is confessed that he was ready to commit the most horrid crimes which appeared necessary for that purpose; and it is certain, that all his courage and capacity, qualities in which he really seems not to have been deficient, would never have made compensation to the people for the danger of the precedent, and for the contagious example of vice and murder exalted upon the throne. This prince was of a small stature, hump-backed, (whence his name,) and had a harsh disagreeable countenance; so that his body, says Hume, was in every particular no less deformed than his mind. In this opinion most historians agree, though some of the present day pretend, that he was said to be crooked in body, because his mind was deformed.

We shall close the history of the Plantagenets with a brief recapitulation of the most memorable events which befel the kings of that race, whilst they were on the throne of England. In this summary of fourteen reigns we may observe, that the happiness and glory which that race enjoyed for above three hundred years, were scarce worth recording in comparison of their misfortunes.

\* The following article is selected from the Gentleman's Magazine for November, 1791:

"Mr. Urban  
"The bridge which you once honoured with the name of Rialto, the accidental monument of that brave king Rich. III. which has been long esteemed, and visited by every curious stranger, as one of the many fragments of antiquity with which this place abounds, dropped yesterday on the grave of that monarch's bones. The foundation on the side of St. Austin's well has been lately visibly undermined by the stream that passed under it. Its destruction appeared to me, some time since, hastily approaching. It fell yesterday about eleven o'clock, occasioned, I apprehend, by the waters, which had swelled by the late rains, to nearly of a level with the banks. I cannot learn  
No. XXXIV.

that any person was passing in at that time, although on a market-day. The noise it made in the water, when it fell I find was heard at some considerable distance.

The history of Bow-Bridge is too well known to need much of a recital. Thus far may be necessary. It was built originally for the religious of the house of the Augustine friars, as a passage over the old river Soar, now called the Back Stream. At the dissolution of religious houses, when the monument of Richard III. was destroyed at the Grey Friars church, Leicester, the rabble dug up his bones, carried them in derision and triumph through the streets, and when tired with thus insulting his memory, they threw his bones into that part of the river over which Bow-Bridge stood.

"Your's &c

J. T."



Henry II. the first king of this house, was the greatest of all the English monarchs with respect to the extent of his dominions. Besides the kingdom of England, he had in France, Guienne, Poictou, Saintonge, Auvergne, Limosin, Perigord, Angoumois, Touraine, Anjou, Maine, and Normandy, to which he joined Bretagne, by the marriage of one of his sons with the heiress of that duchy; and lastly, crowned all with the conquest of Ireland. But amidst all this grandeur he was ever unhappy. His contest with Becket, the vexatious persecutions from pope Alexander III. the rebellion of his queen and sons, and the unfortunate issue of his last war with France, suffered him not to enjoy a moment's ease.

Richard I. rendered his name famous in the East, by the conquest of the isle of Cyprus, by the taking of Arc, and by a great victory over the Saracens. But the fame he acquired by that expedition was a dear purchase to Christendom, and especially to England, on account of the vast numbers of men, and prodigious quantity of gold and silver, which were exported from thence, and after all, were of no great service to the Christians of Palestine. Richard himself, at his return into Europe, underwent the hardships of a grievous and long imprisonment, from whence he could not get free but by paying an exorbitant ransom, which quite drained his kingdom. And at length, after several years hard struggle with Philip Augustus, to very little purpose, an arrow shot from a cross-bow unfortunately gave him his death's wound at the siege of Chalus, which his greedy desire of money had put him upon undertaking.

John Lackland enjoyed not a moment's happiness throughout his whole reign. Persecuted first by the king of France, then by pope Innocent III. and lastly by his own subjects, his reign was nothing but a train of misfortunes, one upon the neck of another. He set out with losing all the provinces his ancestors had possessed in France. After which Innocent III. took his crown from him, and gave it not back but upon shameful and dishonourable terms. In a word, he had the great mortification to see his barons in arms against him, and to die at a time when all England was paying allegiance to a foreign prince.

Henry III. a prince of a very mean spirit, lived in a continual state of subjection, though seated on a throne: being at one time a slave to his favourites and ministers, and at another to the imperious will of the pope. At length, stripped of his authority by his own subjects, he remained for some time prisoner in the hands of his most inveterate enemies. And he was entirely beholden to a victory luckily won by the prince his son, for his restoration, and the tranquillity he enjoyed the two last years of his life.

Edward I. rendered his name famous by the conquest of Scotland. But after the spilling of torrents of blood in that unjust quarrel, he had the mortification to see his prey snatched out of his hands, and to die before he could get it again. His subduing of Wales was indeed the best thing for England that ever had been done by any king.

The reign of Edward II. is remarkable only for the ill management and misfortunes of that prince. It is he that has furnished the first instance of a king of England deposed by authority of parliament. And it had been well for him if the fury of his enemies had stopped there. But with an unparalleled barbarity, they made him suffer the most cruel death that could possibly be devised.

Edward III. was one of the most illustrious kings of England, as well on account of his personal qualities, as for his victories in France, and the famous treaty of Bretagne, which brought him back with interest, the provinces John Lackland had suffered to be taken away. But his reign, though glorious, was not without its blemishes. His minority was sullied by the tragical death of Edward II. his father, and of the earl of Kent his uncle. To punish these horrid deeds, he was forced to

keep his mother in prison as long as she lived. And towards the end of his days, he had the mortification to see himself stripped of all that he had re-conquered upon France, without any prospect of being ever able to repair his loss. In a word, he ruined his own reputation, and died at a time when his subjects began to lose the esteem they had once entertained for him.

Thus far it is easy to see, that the race of the Plantagenets had enjoyed no great share of happiness. But their misfortunes, which were blended with some prosperity, were mere trifles in comparison of what that race afterwards went through. If we take a view of what happened to the posterity of Edward III. we shall behold nothing but disasters, tragical or untimely ends, hatred, animosity, revenge, civil wars, unheard-of cruelties, among princes sprung from the same stock. England had never seen so terrible a havock of her inhabitants, nor had the scaffold been ever dyed with so much noble and royal blood, as during the hundred years between the death of Edward III. and that of Richard III. Let us briefly run over the several branches of Edward III's family, in order to see their respective calamities.

Edward the Black Prince, one of the most accomplished princes that ever was born, died in the sixteenth year of his age, having first buried his eldest son Edward, who was but seven years old.

Richard II. his other son, who mounted the throne after his grandfather, was deposed, imprisoned, and barbarously murdered.

Lionel, duke of Clarence, second son of Edward III. died out of his native country in the flower of his age. He left but one daughter, whose marriage into the family of the Mortimer's was the occasion of all the calamities England was afflicted with for thirty years together.

The posterity of John of Gaunt, Edward's third son, were far from being happy. Henry IV. successor of Richard II. passed his whole reign under continual apprehensions of losing a crown which he had gained by extraordinary methods, and kept by the violent death of Richard II. whom he had caused to be murdered in prison.

Henry V. one of the most illustrious kings that ever swayed the English scepter, after having pushed matters in France to such a height as to be declared regent and heir of that kingdom, enjoyed so great an honour not above two years, or rather had only a foretaste of what he had so eagerly thirsted after. He died in the flower of his age, leaving a son but nine months old, who afterwards proved very unfit to complete the work which his illustrious father had so gloriously begun.

The dukes of Clarence, Bedford, and Gloucester, died all three without issue. Gloucester was long exposed to the fury of his enemies, and at length fell a sacrifice to their vengeance.

Henry VI. son of Henry V. lost all that the king his father had gained upon France. After which he was stripped of his royalty, imprisoned, restored for a short space, and at last murdered by a prince sprung from the same stem with himself.

Edward his son, prince of Wales, died after the same manner, and by the same hand.

In running over the other branch of the house of Lancaster, namely, that of Beaufort-Somerfet, hardly shall we find one prince but what lost his life in a battle, or on the scaffold.

The house of York, of whom Edmund de Langley, fourth son of Edward III. was head, fared still worse. Some unlucky stars seemed to be continually shedding their malignant influences upon that family. Excepting Edmund de Langley himself, first duke of York, all the princes descended of him died a violent or untimely death.

Edward, duke of York, his eldest son, was slain at the battle of Agincourt.

Richard, earl of Cambridge, lost his head on a scaffold.

Richard.



Richard, third duke of York, and Edmund, earl of Rutland, his son, perished in the battle of Wakefield.

George, duke of Clarence, was afterwards drowned in a butt of Malmsey wine.

Edward, IV. after having enjoyed the crown of England some years, to which he had a better title than the house of Lancaster, died indeed a natural death, but it was in the two and fortieth year of his age.

Edward V. and Richard his brother, were smothered in their bed.

Edward, prince of Wales, son of Richard III. was taken out of the world in the eleventh year of his age.

Richard III. was killed at the battle of Bosworth.

Edward, earl of Warwick, son of the unfortunate duke of Clarence, and the only male relict of the house

of York, ended his days by the hand of the executioner.

Nothing more remains to complete the account of the disasters which happened to the posterity of Edward III. but to take notice that Thomas of Woodstock, earl of Gloucester, fifth son of that monarch, died a violent death in prison at Calais.

The misfortunes which fell on the heads of Edward III's posterity, may be looked upon as the effects of God's vengeance extended to the fourth generation, for the barbarous murder committed on the person of Edward II. At least, we cannot but perceive in these events the tragical death of Edward II. revenged upon Richard II. that of Richard upon Henry VI.; that of Henry upon Edward V.; and that of Edward upon Richard III.

## B O O K VII.

### THE LINES OF YORK AND LANCASTER UNITED.

*Containing the Reigns of King Henry VII. King Henry VIII. King Edward VI. Queen Mary, and Queen Elizabeth.*

#### C H A P. I.

##### H E N R Y VII.

**H**ENRY, having obtained the victory at Bosworth, caused *Te Deum* to be sung on the field: the army bestowed the appellation of king on the victorious general; and his ears were saluted with "Long live Henry VII." on the 22d of August, 1485. The pretensions whereon he built his right to the crown were: 1. Conquest; 2. His intended marriage with the princess Elizabeth, heiress of the house of York; and, 3. His descent from the house of Lancaster by the mother's side.

Henry had seen most of his near friends and relations perish in the battle, or by the hands of the executioner, and had been exposed in his own person, to many hardships and dangers; and therefore he had imbibed a violent antipathy to the York party, which neither time nor experience were ever able to efface. Instead of embracing these fatal distinctions, of uniting his title with that of his consort, and of bestowing favour indiscriminately on the friends of both families, he carried to the throne all the partialities which belong to the head of a faction. To exalt the Lancastrian party, to depress the adherents to the house of York, were still the favourite objects of his pursuit; and through the whole course of his reign, he never forgot these early prepossessions. Incapable, from his natural temper, of a more enlarged and more benevolent system of policy, he exposed himself to many present inconveniencies, by too anxiously guarding against that future possible event, which might disjoin his title from that of the princess whom he espoused. And while he treated the Yorkists as enemies, he soon rendered them such, and taught them to discuss that right to the crown, which he so carefully kept separate; and to perceive its weakness and invalidity.

Guided by these ideas, Henry ordered Sir Robert Willoughby to take Edward Plantagenet, earl of Warwick, son to the duke of Clarence, from his confinement at Sherif Hatton, in Yorkshire, (whither he had been sent and detained by the jealousy of his uncle Richard,) and conduct him to the Tower, where he was to be kept in close custody. The same messenger carried directions that the princess Elizabeth, who had been confined to the same place, should be conducted

to London, in order to meet Henry, and there celebrate her nuptials.

Henry now set out for the capital, and advanced by slow journies, making peaceable progress through his dominions. The acclamations of the people were loud and hearty. Besides that a young and victorious prince, on his accession, was naturally the object of popularity, the nation promised themselves great felicity from the new scene which opened before them. During the course of near a whole century, the kingdom had been laid waste by domestic wars and convulsions; and if at any time the noise of arms had ceased, the sound of faction and discontent still threatened new disorders. Henry, by his marriage with Elizabeth, seemed to ensure an union of the contending titles of the two families; and having prevailed over a tyrant universally despised, who had anew disjointed the succession even of the house of York, and had filled his own family with blood and murder, he was every where attended with the unfeigned favour of the people. Numerous and splendid troops of gentry and nobility attended his progress. The mayor and companies of London received him as he approached the city; the crowds of people and citizens were zealous in their expressions of satisfaction: but Henry, amidst this general effusion of joy, discovered still the stateliness and reserve of his temper, which made him scorn to court popularity; and he entered London in a close chariot, and did not even gratify the people with a sight of their new sovereign and guardian.

The king, however, did not so much neglect the favour of the people, as to delay giving them assurances of his marriage with the princess Elizabeth, which he knew the nation desired. On leaving Brittany, he artfully dropped some hints, that if he should succeed in his enterprize, and obtain the crown of England, he would espouse Anne, the heir of that duchy; and the report of this engagement had already reached England, and had begotten anxiety in the people, and even in Elizabeth herself. Henry dissipated these apprehensions, by renewing, before the council and principal nobility, the promise which he had previously given to celebrate his nuptials with the English princess. But though bound by honour, as well as by interest, to complete this alliance, he was resolved to postpone it till the ceremony of his own coronation should be finished, and till his title should be recognized by parliament. Still anxious to support his personal and hereditary right to the



the throne, he dreaded lest a preceding marriage with the princess should imply a participation of sovereignty in her, and raise doubts of his own title by the house of Lancaster.

In September and October there raged in London, and other parts of the kingdom, a species of malady unknown to any other age or nation, the sweating sickness, which occasioned the sudden deaths of great multitudes; though it seemed not to be propagated by any contagious infection, but arose from the general disposition of the air and of the human body. In less than twenty-four hours the patient commonly died or recovered; but when the pestilence had exerted its fury for a few weeks, it was observed, either from alterations in the air, or from a more proper regimen which had been discovered, to be considerably abated.

Preparations were now made for the ceremony of Henry's coronation. In order to heighten the splendour of that spectacle, he bestowed the rank of knight banneret on twelve persons; and he conferred peerages on three. Jasper, earl of Pembroke, his uncle, was created duke of Bedford; Thomas, lord Stanley, his father-in-law, earl of Derby; and Edward Courtenay, earl of Devonshire. At the coronation on the 30th of October likewise there appeared a new institution, which the king had established for security as well as pomp, a band of fifty archers, who were termed yeomen of the guard. But lest the people should take umbrage at this unusual symptom of jealousy in the prince, as if it implied a personal diffidence of his subjects, he declared the institution to be perpetual. The ceremony of coronation was performed by cardinal Bouchier, archbishop of Canterbury.

On the 7th of November following a parliament was assembled at Westminster, and the majority immediately appeared to be the devoted partizans of Henry; all persons of another disposition either declining to stand in those dangerous times, or being obliged to dissemble their principles and inclinations. The Lancastrian party had always been successful in the elections; and many had been returned, who during the prevalence of the house of York had been exposed to the rigour of law, and had been condemned by sentence of attainder and outlawry. Their right to take seats in the house being questioned, the case was referred to all the judges, who assembled in the exchequer chamber, in order to deliberate on so delicate a subject. The judges determined, that the members attainted should forbear taking their seat till an act were passed for the reversal of their attainder. There was no difficulty in obtaining this act; and in it were comprehended a hundred and seven persons of the king's party\*. But a scruple of a nature still more important was stated. The king himself had been attainted; and his right of succession to the crown might thence be exposed to some doubt. The judges extricated themselves from this dangerous question, by asserting it as a maxim, "That the crown takes away all defects and stops in blood; and that from the time the king assumed royal authority, the fountain was cleared, and all attainders and corruptions of blood discharged."

The king now made a speech to the parliament, and the entail of the crown was drawn according to the sense of the king, and probably in words dictated by him. He made no mention in it of the princess Elizabeth, nor of any branch of her family; but in other respects the act was compiled with sufficient reserve and moderation. He did not insist that it should contain a declaration or recognition of his preceding right; as on the other hand he avoided the appearance of a new law or ordinance. He chose a middle course, which was entirely free from uncertainty and obscurity. It was voted, "That the inheritance of the crown should rest, remain, and abide in the king†;" but whether as rightful heir, or only as a present possessor, was not determined. In like manner, Henry was contented that the succession should be secured to the heirs of the body; but he pretended not, in case of their failure, to exclude the house

of York, or give the preference to that of Lancaster; he left that great point ambiguous for the present, and trusted that, if it should ever become requisite to determine it, future incidents would open the way for the decision of the matter.

After all these precautions, the king seemed so little satisfied with his own title, that, in the following year, he applied to the pope for a confirmation of it; and as the court of Rome gladly embraced all opportunities which the imprudence, weakness, or necessities of princes afforded it to extend its influence, Innocent VIII. readily granted a bull in whatever terms the king was pleased to desire. All Henry's titles, by succession, marriage, parliamentary choice, even conquest, are there enumerated; and to the whole the sanction of religion is added; excommunication is denounced against every one who should either disturb him in the present possession or the heirs of his body in the future succession of the crown, and from this penalty no criminal, except in the article of death, could be absolved but by the pope himself, or his special commissioners.

Notwithstanding the attainders had been reversed, the parliament, at the instigation of the king, passed an act of attainder against the late king himself, against the duke of Norfolk, the earl of Surrey, viscount Lovel, and lords Zouche and Ferrars, of Chartley; Sir Walter and Sir James Harrington, Sir William Berkley, Sir Humphrey Stafford, Catesby, and about twenty other gentlemen, who had fought on Richard's side in the battle of Bosworth. The king, having gained so many points of consequence from the parliament, thought it not expedient to demand any supply from them, which the profound peace enjoyed by the nation, and the late forfeiture of Richard's adherents, seemed to render somewhat superfluous. The parliament, however, on the 10th of December, conferred on him, during life, the duty of tonnage and poundage, which had been enjoyed in the same manner by some of his immediate predecessors; and they added, before they broke up, other money bills of trifling importance. The king, on his part, made returns of grace and favour to the people. He published his royal proclamation, offering pardon to all such as had taken arms, or formed any attempts against him; provided they submitted themselves to mercy by a certain day, and took the usual oath of fealty and allegiance. Upon this proclamation many came out of their sanctuaries; and the minds of the people were much quieted. Henry chose to take wholly to himself the merit of an act of grace, so agreeable to the nation; rather than communicate it with the parliament, (as was his first intention,) by passing a bill to that purpose. But the earl of Surrey, though he had submitted, and delivered himself into the king's hands, was sent prisoner to the Tower, and there confined.

The king, during the parliament, also bestowed favours and honours on some particular persons who were attached to him. Edward Stafford, eldest son of the duke of Buckingham, attainted in the late reign, was restored to the honours of his family, as well as to its fortune, which was very considerable. This generosity, so unusual in Henry, was the effect of his gratitude to the memory of Buckingham, who had first concerted the plan of his elevation, and who, by his own ruin, had made way for that great event. Chandos of Brittany was created earl of Bath; Sir Giles Daubeney, lord Daubeney; and Sir Robert Willoughby, lord Brooke. These were all the titles of nobility conferred by the king during this session of parliament. But those whom Henry most trusted and favoured, were not chosen from among the nobility, or even from among the laity. John Morton and Richard Fox, two clergymen, were the men to whom he chiefly confided his affairs and secret counsels. They had shared with him all his former dangers and distresses, and he now made them participate in his good fortune. They were both called to the privy council; Morton was restored to the bishopric of Ely, and Fox was created bishop of Exeter. The former soon after, upon the death of Bouchier, was



raised to the see of Canterbury; the latter was made privy-seal; and successively bishop of Bath, Wells, Durham, and Winchester. For Henry, as lord Bacon observes, loved to employ and advance prelates; because, having rich bishoprics to bestow, it was easy for him to reward their services: and it was his maxim to raise them by slow steps, and make them first pass through the inferior sees; it being good policy to act in that manner.

On the 18th of January, 1486, the parliament, in representing the bill of tonnage and poundage, anxious to preserve the legal undisputed succession to the crown, had petitioned Henry to espouse the princess Elizabeth; but they covered their true reason under the pretence of their desire to have heirs of his body: and his marriage was accordingly celebrated at London, in March following. The suspicion which arose from the partial joy which the king imagined was shewn to the house of York, not only disturbed his tranquillity during his whole reign, but ever bred disgust towards his consort in private, and dimmed all his domestic enjoyments. Though virtuous, amiable, and obsequious to the last degree, she never met with a proper return of affection, or even of complaisance from her husband: and the malignant ideas of faction still, in his sullen mind, prevailed over all his sentiments of conjugal tenderness.

In April he made a journey into the northern counties, with a view to compose the minds of the people.— When he arrived at Nottingham, he heard that viscount Lovel, with Sir Humphrey Stafford, and Thomas his brother, had secretly withdrawn themselves from their sanctuary at Colchester: but this news appeared not to him of such importance as to stop his journey; and he proceeded on his way to York. He there heard that the Staffords had levied an army, and were marching to besiege the city of Worcester: and that Lovel, at the head of three or four thousand men, was approaching to attack him in York. Henry was not in the least dismayed with this intelligence. His active courage, full of resources, immediately prompted him to find the proper remedy. Though surrounded with enemies in these distracted counties, he assembled a small body of troops, and put them under the command of the duke of Bedford. He joined to them all his own attendants; and found that this hasty armament was more fortified by their spirit and their zealous attachment to him, than by the arms or military stores with which they were provided. He therefore gave Bedford orders not to approach the enemy; but previously to try every proper expedient to disperse them. Bedford published a general promise of pardon to the rebels, which had a greater effect on their leader than on his followers. Lovel, who had undertaken an enterprize that exceeded his courage and capacity, was so terrified with the fear of desertion among his troops, that he suddenly withdrew himself; and after lurking some time in Lancashire, he made his escape into Flanders, where he was protected by the dukes of Burgundy. His army submitted to the king's clemency; and the other rebels, hearing of this success, raised the siege of Worcester, and dispersed themselves. The Staffords took sanctuary in the church of Colham, a village near Abingdon; but as it was found that this church had not the privilege of giving protection to rebels, they were taken from thence: the elder was executed at Tyburn; the younger, pleading that he had been misled by his brother, obtained a pardon. On the 20th of September, Henry's queen was delivered of a prince at Winchester, to whom he gave the name of Arthur, in memory of the famous British king of that name, from whom it was said the family of Tudor derived its descent.

The people now became discontented because the queen's coronation was deferred; and likewise on account of the confinement of the young earl of Warwick. It was also reported, that Warwick was reserved for a similar fate to that which attended the children of Edward. One Richard Simon, a priest of Oxford, who possessed some subtlety, and still more enterprize and

temerity, had entertained the design of disturbing Henry's government, by raising a pretender to his crown; and for that purpose he cast his eyes on Lambert Simnel, a youth of fifteen years of age, who was the son of a baker, and who, being endowed with understanding above his years, and address above his condition, seemed well fitted to personate a prince of royal extraction. A report had been spread among the people, and received with great avidity, that Richard, duke of York, second son of Edward IV. had, by a secret escape, saved himself from the cruelty of his uncle, and lay somewhere concealed in England. Simon taking advantage of this rumour, had at first instructed his pupil to assume that name, which he found to be so fondly cherished by the public: but hearing afterwards a new report, that Warwick had made his escape from the Tower, and observing that this news was attended with no less general satisfaction, he changed the plan of his imposture, and made Simnel personate that unfortunate prince. It was conjectured, that persons of higher rank, partizans of the house of York, had laid the plan of this conspiracy, and had conveyed proper instructions to the actors. The queen-dowager herself was exposed to suspicion; and it was indeed the general opinion, that she had secretly given her consent to the imposture: but this was very unlikely. Whatever care Simon might take to convey instruction to his pupil Simnel, he was sensible that the imposture would not bear a close inspection; and he was therefore determined to open the first public scene of it in Ireland. That island, which was zealously attached to the house of York, and bore an affectionate regard to the memory of Clarence, Warwick's father, who had been their lieutenant, was improvidently allowed by Henry to remain in the same condition in which he found it; and all the counsellors and officers who had been appointed by his predecessors still retained their authority. No sooner did Simnel present himself to Thomas Fitz Gerald, earl of Kildare, the deputy, and claim his protection as the unfortunate Warwick, than that zealous nobleman, not suspecting so bold an imposture, gave attention to him, and began to consult some persons of rank with regard to this extraordinary incident. These he found even more sanguine in their zeal and belief than himself: and in proportion as the story diffused itself among those of lower condition, it became the object of still greater passion and credulity, till the people in Dublin tendered their allegiance to Simnel, as to the true Plantagenet. Fond of a novelty, which flattered their natural propensity, they overlooked the daughters of Edward IV. who stood before Warwick in the order of succession; they paid the pretended prince attendance as their sovereign, provided apartments for him in the castle of Dublin, crowned him with a diadem taken from a statue of the Virgin, and publicly proclaimed him king, by the appellation of Edward VI. The whole island followed the example of the capital; and not a sword was any where drawn in Henry's quarrel. Intelligence of this affair being communicated to the king, it reduced him to some perplexity. Determined always to face his enemies in person, he yet scrupled at present to leave England, where he suspected the conspiracy was first framed, and where he knew many persons of condition, and the people in general, were much disposed to give it countenance. In order to discover the secret source of the contrivance, and take measures against this open revolt, he held frequent consultations with his ministers and counsellors, and laid plans for a vigorous defence of his authority, and the suppression of his enemies.

The king now commanded that the queen-dowager should be seized, that her lands and revenues should be forfeited, and that her person should be closely confined in the nunnery of Bermondsey. This act of authority was covered with a very thin pretence. It was alledged that, notwithstanding the secret agreement to marry his daughter to Henry, she had yet yielded to the solicitations and menaces of Richard, and had delivered that



princess and her sisters into the hands of the tyrant. This crime, which was now become obsolete, and might admit of alleviations, was therefore suspected not to be the real cause of the severity with which she was treated; and men believed that the king, unwilling to accuse so near a relation of a conspiracy against him, had cloaked his vengeance or precaution under colour of an offence known to the whole world. They were afterwards the more confirmed in this suspicion, when they found that the unfortunate queen, though she survived this disgrace several years, was never treated with any more lenity, but was allowed to end her life in poverty, solitude, and confinement.

The king then ordered that Warwick should be taken from the Tower, be led in procession through the streets to London, be conducted to St. Paul's, and there exposed to the view of the populace. He even gave directions that some men of rank, attached to the house of York, and best acquainted with the person of this prince, should approach him, and converse with him: and he trusted that these, being convinced of the absurd imposture of Simnel, would put a stop to the credulity of the vulgar. The expedient had its effect in England: but in Ireland the people still persisted in their revolt, and zealously retorted on the king the reproach of propagating an imposture, deceiving the public by shewing, and of having a counterfeit Warwick.

Shortly after John, earl of Lincoln, son of John de la Pole, duke of Suffolk, and of Elizabeth, eldest sister to Edward IV. took part in the conspiracy. The ambition of this nobleman was encouraged by the known intentions of his uncle Richard, who had formed a design, in case he himself should die without issue, of declaring Lincoln successor to the crown. The king's jealousy against the York party, and his rigour towards Warwick, caused the earl of Lincoln to seek for safety in the most dangerous counsels. Having fixed a secret correspondence with Sir Thomas Broughton, a man of great interest in Lancashire, he retired to Flanders, where Lovel had arrived a little before him; and he lived during some time in the court of his aunt the duchess of Burgundy, by whom he had been invited to that country; and who, after consulting with the earl of Lincoln and lord Lovel, hired a body of two thousand Germans, under the command of Martin Swart. These were sent over, together with the earl of Lincoln and lord Lovel, to join Simnel in Ireland, in the beginning of 1487. The countenance given by persons of such high rank, and the accession of this military force, much raised the courage of the Irish, and made them entertain the resolution of invading England, where they believed the spirit of disaffection as prevalent as it appeared to be in Ireland. The king, who was not ignorant of the intentions of his enemies, prepared himself for defence. He ordered troops to be levied in different parts of the kingdom, and put them under the command of the duke of Bedford and earl of Oxford. He confined the marquis of Dorset, who he suspected would resent the injuries suffered by his mother the queen-dowager: and, to gratify the people by an appearance of devotion, he made a pilgrimage to our lady of Walsingham, famous for miracles; and there offered up prayers for success, and for deliverance from the machinations of his enemies. Being informed that Simnel landed in May at Foudry in Lancashire, he drew together his forces, and advanced towards the enemy as far as Coventry. The rebels had entertained hopes that the disaffected counties in the north would rise in their favour: but the people in general, averse to join Irish and German invaders, convinced of Lambert's imposture, and kept in awe by the king's reputation for success and conduct, either remained in tranquillity, or gave assistance to the royal army. The earl of Lincoln, therefore, who commanded the rebels, finding no hopes but in victory, was determined to bring the matter to a speedy decision; and the king supported by a great accession of volunteers, who had joined him under the earl of Shrewsbury and lord

Strange, declined not the combat. The hostile armies met at Stoke, in Nottinghamshire, on the 6th of June; when a battle was fought, which was more obstinately disputed than could have been expected from the inequality of their force. The leaders of the rebels were resolved to conquer or to perish, and their troops were inspired with a like resolution. The Germans kept the event long doubtful; and the Irish, though ill-armed, shewed themselves not defective in spirit and bravery. The king's victory was purchased with great loss, but was entirely decisive. Lincoln, Broughton, and Swart, perished in the field of battle, with about four thousand of their followers. As Lovel was never heard of afterwards, he was believed to have undergone the same fate. Simnel with his tutor Simon, was taken prisoner. Simon being a priest, was only committed to close custody: Simnel being too contemptible to be an object either of apprehension or resentment to Henry, was pardoned, and made a scullion in the king's kitchen; whence he was afterwards advanced to the rank of a falconer\*.

Henry now made a progress into the northern parts, where he gave many proofs of vigorous disposition. A strict enquiry was made after those who had assisted or favoured the rebels. The punishments were not at all sanguinary: the king made his revenge subservient to his avarice. Heavy fines were levied upon the delinquents. The proceedings of the courts, and even the courts themselves, were arbitrary. Either the criminals were tried by commissioners appointed for the purpose, or they suffered punishment by a sentence of a court-martial. And as a rumour had prevailed before the battle of Stoke, that the rebels had gained the victory, that the royal army was cut in pieces, and that the king himself had escaped by flight, Henry was resolved to interpret the belief or propagation of this report as a mark of disaffection; and he punished many for that pretended crime. But such in this age was the situation of the English government, that royal prerogative, which was but imperfectly restrained during the most peaceable periods, was sure, in tumultuous, or even suspicious times, which frequently recurred, to break all bounds of law, and to violate the liberty of the subjects. After the king had gratified his rigour by the punishment of his enemies, he determined to give contentment to the people in a point which, though a mere ceremony, was passionately desired by them. The queen had been married near two years, but had not yet been crowned; and this affectation of delay had given great discontent to the public, and had been one principal source of the disaffection which prevailed. The king, instructed by experience, now finished the ceremony of her coronation on the 25th of November, and, to shew a still more gracious disposition, he restored the marquis of Dorset to liberty, who had been able to clear himself of all the suspicions entertained against him by the king or his partizans.

In 1488, the nobles of Brittany became greatly displeased with their sovereign for having resigned the direction of the government to Peter Landais his favourite. The barons united among themselves, and in a violent manner seized, tried, and put to death, the noxious minister. Dreading the resentment of the prince for this invasion of his authority, many of them retired to France; others for protection and safety, maintained a secret correspondence with the French ministry, who, observing the great dissensions among the Bretons, thought the opportunity favourable for invading the duchy; and so much the rather, as they could cover their ambition under the specious pretence of providing for domestic security. Lewis, duke of Orleans, first prince of the blood, and presumptive heir of the monarchy, had disputed the administration with the lady of Beaujeu; and though his pretensions had been rejected by the states, he still maintained cabals with many of the grandes, and laid schemes for subverting the authority of that princess. Finding his conspiracies detected, he took to arms, and fortified himself



himself in Beaugenci; but as his revolt was precipitate, before his confederates were ready to join him, he had been obliged to submit, and to receive such conditions as the French ministry were pleased to impose upon him. Actuated, however, by his ambition, and even by his fears, he soon retired out of France, and took shelter with the duke of Brittany, who was desirous of strengthening himself against the designs of the lady of Beaujeu, by the friendship and credit of the duke of Orleans. This latter prince also, perceiving the ascendant which he soon acquired over the duke of Brittany, had engaged many of his partizans to join him at that court, and had formed the design of aggrandizing himself by a marriage with Anne, the heir of that duchy. The barons of Brittany seeing all favour engrossed by the duke of Orleans and his train, renewed a stricter correspondence with France, and even invited the French king to make an invasion on their country. Desirous, however, of preserving its independency, they had regulated the number of succours which France was to send them, and had stipulated that no fortified place in Brittany should remain in possession of that monarchy: the French invaded Brittany with forces three times more numerous than those which they had promised to the barons; and advancing into the heart of the country, laid siege to Ploermel. To oppose them, the duke raised a numerous but ill-disciplined army, which he put under the command of the duke of Orleans, the count of Dunois, and others of the French nobility. The army, discontented with his choice, and jealous of their confederates, soon disbanded, and left their prince with too small a force to keep the field against his invaders. He retired to Vannes; but being vigorously pursued by the French, who had now made themselves masters of Ploermel, he escaped to Nantz; and the enemy, having previously taken and garrisoned Vannes, Dinant, and other places, laid close siege to that city. The barons of Brittany, finding their country menaced with total subjection, began gradually to withdraw from the French army, and to make peace with their sovereign.

The desertion of the Bretons did not discourage the court of France from pursuing her favourite project of reducing Brittany. The situation of Europe appeared favourable to the execution of this design; several states being variously engaged. Richard alone was enabled by her power, as well as engaged by her interests, to support the independency of the duchy; and the most dangerous opposition was therefore, by Anne of Beaujeu, expected from that quarter. In order to cover her real designs, no sooner was she informed of Henry's success against Simnel and his partizans, than she dispatched ambassadors to the court of England, and made professions of the greatest trust and confidence in the sovereign of this kingdom.

The French ambassadors amused Henry with specious pretences, and seemingly pacific inclinations; and Henry endeavoured to procure a peace and good understanding between the two contending parties, by the expedient of negotiation. He dispatched Urswic his almoner, a man of address and abilities, to make an offer of his mediation to the belligerent parties: an offer which he thought, if accepted by France, would soon lead to a composition of all differences; if refused or eluded, would at least discover the perseverance of that court in her ambitious projects. Urswic found the lady of Beaujeu, now duchess of Bourbon, engaged in the siege of Nantz, and found that his master's offer of mediation was readily embraced, with many expressions of confidence and moderation. That able princess concluded, that the duke of Orleans, who governed the court of Brittany, foreseeing that every accommodation must be made at his expence, would use all his interest to have Henry's proposal rejected; and would by that means make an apology for the French measures, and draw on the Bretons the approach of obduracy and injustice. The event justified her prudence. When the

English ambassador made the same offer to the duke of Brittany, he received for answer, in the name of that prince, that having so long acted the part of protector and guardian to Henry during his youth and adverse fortune, he had expected from a monarch of such virtue, more effectual assistance in his present distresses, than a barren offer of a mediation, which suspended not the progress of the French arms: that if Henry's gratitude were not sufficient to engage him in such a measure, his prudence, as king of England, should discover to him the pernicious consequences attending the conquest of Brittany, and its being annexed to the crown of France: that this kingdom, already too powerful, would be enabled, by so great an accession of force, to display, to the ruin of England, that hostile disposition, which had always subsisted between those rival nations: that Brittany, so useful an ally, which by its situation, gave the English an entrance into the heart of France, being joined to that kingdom, would be equally enabled, from its situation, to disturb, either by piracies or naval armaments, the commerce and peace of England: and that, if the duke rejected Henry's mediation, it proceeded neither from an inclination to a war, which he experienced to be ruinous to him, nor from a confidence in his own force, which he knew to be much inferior to that of the enemy; but, on the contrary, from a sense of his present necessities, which must engage the king to act the part of his confederate, rather than that of a mediator.

This answer being communicated to the king, he abandoned not the plan which he had formed: he only concluded, that more time was requisite to quell the obstinacy of the Bretons, and make them submit to reason. And when he learned that the people of Brittany anxious of their duke's safety, had formed a tumultuary army of sixty thousand men, and had obliged the French to raise the siege of Nantz, he fortified himself the more in his opinion, that the court of France would be reduced, by multiplied obstacles and difficulties, to abandon the project of reducing Brittany to subjection. He continued therefore his scheme of negotiation, and by that means exposed himself to be deceived by the artifices of the French ministry; who still pretending pacific intentions, sent lord Barnard Daubigney, a Scotchman of quality, to London, and pressed Henry not to be discouraged in offering his mediation to the court of Brittany. The king on his part, dispatched another embassy, consisting of Urswic, the abbot of Abingdon, and Sir Richard Tonstal, who carried new proposals for an amicable treaty. No effectual succours, mean while, were provided for the distressed Bretons. Lord Woodville, brother to the queen-dowager, having asked leave to raise secretly a body of volunteers, and to transport them into Brittany, met with a refusal from the king, who was desirous of preserving the appearance of a strict neutrality. That nobleman, however, still persisted in its purpose. He went over to the Isle of Wight, of which he was governor, levied a body of four hundred men, and having at last obtained, as is supposed, the secret permission of Henry, sailed with them to Brittany. This enterprize proved fatal to the leader, and brought small relief to the unhappy duke. The Bretons rashly engaged in a general action with the French at St. Aubin, on the 28th of July, in which they were worsted. Woodville and all the English were put to the sword; together with a body of Bretons, who had been accoutred in the garb of Englishmen, in order to strike a greater terror into the French. The duke of Orleans, the prince of Orange, and many other persons of rank, were taken prisoners: and the military force of Brittany was totally broken. The death of the duke Francis II. which happened on the 9th of September following, threw affairs into still greater confusion, and seemed to threaten the state which a final subjection the crown of France. On the death of the duke, Henry determined to assist his daughter against all opposers; and therefore he summoned



summoned a parliament to meet at Westminster, which he persuaded to grant him a considerable subsidy\*. This supply, though voted by parliament, involved the king in unexpected difficulties. The counties of Durham and York, provoked by the oppressions under which they had laboured, after the suppression of Simnel's rebellion, resisted the commissioners who were appointed to levy the tax. The commissioners, terrified with this appearance of sedition, made application to the earl of Northumberland, and desired of him advice and assistance in the execution of their office. That nobleman thought the matter of importance enough to consult the king; who, unwilling to yield to the humours of a discontented populace, and foreseeing the pernicious consequences of such a precedent, renewed his orders for strictly levying the imposition. Northumberland summoned together the justices and chief freeholders, and delivered the king's commands in the most imperious terms, which, he thought, would enforce obedience, but which tended only to provoke the people, and make them believe him the adviser of those orders which he delivered to them†. They betook themselves to arms, attacked Northumberland in his house, and put him to death. Their mutinous humour then prompted them to declare against the king himself; and being instigated by John à Chamber, a seditious fellow of low birth, they chose Sir John Egremont their leader, and prepared themselves for a vigorous resistance. Henry not dismayed with this insurrection, immediately levied a force, which he put under the command of the earl of Surrey, whom he had freed from confinement, and received into favour. His intention was to send down these troops, in order to check the progress of the rebels; while he himself should follow with a great body. Surrey having come up with the insurgents, soon put them to the rout. John à Chamber was taken prisoner, and afterwards executed with some of his accomplices; Sir John Egremont fled to the duchess of Burgundy, who gave him protection; and the greater number of the rebels were pardoned.

Henry imagined, when he obtained this grant from parliament, that he should be able to terminate the affair of Brittany; but before he proceeded to violent measures, he resolved to try what might yet be done by negotiation. The distresses of the Bretons, however, still multiplied, and became every day more urgent; so that he found himself obliged to support them. On the death of the duke, the French had revived some antiquated claims to the dominion of the duchy; and as the duke of Orleans was now captive in France, their former pretence for hostilities could no longer serve as a cover to their ambition. The king resolved, therefore, to engage as auxiliary to Brittany; and to consult the interests as well as desires of his people, by opposing himself to the progress of the French power. Besides entering into a league with Maximilian, and another with Ferdinand, he levied a body of six thousand troops, with an intention of transporting them into Brittany. For their service the young duchess engaged to deliver into his hands two sea-port towns, there to remain till she should entirely refund the charges of the armament. The forces arrived in Brittany in March 1489, under the command of lord Willoughby, of Broke; and made the Bretons, during some time, masters of the field. The French retired into their garrisons, and expected, by dilatory measures, to waste the fire of the English, and disgust them with the enterprize. The scheme was well laid, and met with success. Lord Broke found such discord and confusion in the councils of Brittany, that no measures could be concerted for any undertaking; no supply obtained; no provisions, carriages, artillery, or military stores procured. The whole court was rent into factions: no one minister had acquired the ascendant: and whatever project was

formed by one, was sure to be traversed by another. The English, disconcerted in every enterprize by these animosities and uncertain counsels, returned home after having been in Brittany ten months, the time stipulated for their stay in that country; leaving only a small garrison in those towns which had been assigned to Henry. Thus Brittany was left entirely at the mercy of the enemy.

In the beginning of 1490, the young duchess was married by proxy to Maximilian, king of the Romans; and the duchess thenceforth assumed the title of Queen of the Romans. But this magnificent appellation was all she gained by her marriage. Maximilian, destitute of troops and money, and embarrassed with the continual revolts of the Flemings, could send no succour to his distressed consort; while d'Albert, enraged at the preference given to his rival, deserted his cause, and received the French into Nantz, the most important place in the duchy.

The French court now began to change their scheme with regard to the subjection of Brittany. As Charles had formerly been affianced to Margaret, daughter of Maximilian; and as the marriage of Maximilian and Anne appeared destructive to the grandeur, and even security, of the French monarch; while that prince, possessing Flanders on the one hand, and Brittany on the other, might thus, from both quarters, make inroads into the heart of the country; the only remedy for these evils appeared to be the dissolution of the two marriages, which had been celebrated, but not consummated; and the espousal of the duchess of Brittany by the king of France. It was necessary that this expedient, which had not been foreseen by any court in Europe, and which they were all so much interested to oppose, should be kept a profound secret, and should be discovered to the world only by the full execution of it. The measures of the French ministry in the conduct of this delicate enterprize were wise and political. While they pressed Brittany with all the rigours of war, they secretly gained the count of Dunois, who possessed great authority with the Bretons; and having also engaged in their interests the prince of Orange, cousin-german to the duchess, they gave him his liberty, and sent him into Brittany. These partizans, supported by other emissaries of France, prepared the minds of men for the great revolution projected, and displayed all the advantages of a union with the French monarchy.— They represented to the barons of Brittany, that their country, harrassed during so many years with perpetual war, had need of some repose, and of a solid and lasting peace with the only power that was formidable to them: that their alliance with Maximilian was not able to afford them even present protection; and, by closely uniting them to power which was rival to the greatness of France, fixed them in perpetual enmity with that potent monarchy: that their vicinity exposed them first to the inroads of the enemy; and the happiest event which, in such a situation, could befall them, would be to attain a peace, though by a final subjection to France, and by the loss of that liberty transmitted to them from their ancestors: and that any other expedient, compatible with the honour of the state, and their duty to their sovereign, was preferable to a scene of such disorder, devastation, and bloodshed.

The Bretons were influenced by these suggestions; but the chief difficulty lay in surmounting the prejudices of the young duchess herself. That princess had imbibed a strong prepossession against the French nation, particularly against Charles, the author of all the calamities which, from her earliest infancy, had befallen her family. She had also fixed her affections on Maximilian, and as she deemed him her husband, she could not, without incurring the greatest guilt, and violating the most solemn engagements, contract a marriage with

\* Polydore Vergil, p. 579, says, that this imposition was a capitation tax; the other historians say, it was a tax of two

shillings in the pound.

† Bacon, p. 596.



any other person. In order, therefore, to overcome her obduracy, Charles liberated the duke of Orleans\* in 1491. Marechal Rieux, and chancellor Montauban were reconciled by his mediation; and these rival ministers concurred with the prince of Orange and the count of Dunois, in pressing the conclusion of a marriage with Charles. By their suggestion, Charles advanced with a powerful army, and invested Rennes, at that time the residence of the duchess; who, assailed on all hands, and finding none to support her in her laudable inflexibility, at last opened the gates of the city, and agreed to espouse the king of France. They were accordingly married at Langey in Touraine; conducted to St. Dennis, where she was crowned; thence made her entry into Paris, amidst the joyful acclamations of the people, who regarded this marriage as the most prosperous event that could have befallen the monarchy.

Henry had now reason to reproach himself with misconduct in this important transaction; and though the affair had terminated in a manner which he could not precisely foresee, his negligence in leaving his most useful ally so long exposed to the invasion of superior power, could not but appear, on reflection, the result of timid caution and narrow politics. Henry's avarice had prompted him to act in this neglectful manner; but even in his present disappointments he sought the gratification of this ruling passion. On pretence of a French war, he issued (July 7) a commission for levying a benevolence on his people; a species of taxation which had been abolished by a recent law of Rich. III. This violence fell chiefly on the commercial part of the nation, who were possessed of the ready money. London alone contributed near ten thousand pounds. Archbishop Morton, the chancellor, instructed the commissioners to employ a dilemma, in which every one might be comprehended: if the persons applied to lived frugally, they were told, that their parsimony must necessarily have enriched them: if their method of living were splendid and hospitable, they were concluded to be opulent on account of their expences.

The king summoned the parliament to meet at Westminster on the 27th of October, and he even expected to enrich himself farther by working on their passions and prejudices. He knew the displeasure which the English had conceived against France on account of the acquisition of Brittany: and he took care to insist on that topic, in the speech which he himself pronounced to the parliament. He told them that France had proceeded to a contempt of England, and had refused to pay the tribute which Lewis XI. had stipulated to Edward IV. that it became so warlike a nation as the English to be roused by this indignity, and not to limit their pretensions merely to repelling the injury: that, for his part, he was determined to lay claim to the crown of France, and to maintain by force of arms so just a title, transmitted to him by his ancestors: that Cressy, Poitiers, and Agincourt, were sufficient to instruct them in their superiority over the enemy; nor did he despair of adding new names to the glorious catalogue: that a king of France had been prisoner in London, and a king of England had been crowned at Paris; events which should animate them to an emulation of like glory with that which had been enjoyed by their forefathers: that the domestic dissensions of England had been the sole cause of her losing these foreign dominions; and her present internal union would be the effectual means of recovering them; that where such lasting honour was in view, and such an important acquisition, it became not brave men to repine at the advance of a little treasure: and that, for his part, he was determined to make the war maintain itself; and hoped by the invasion of so opulent a kingdom as France, to increase rather than diminish, the riches of the nation.

This, however, was not practicable; for England itself was not free from domestic discontents; and in Scotland, the death of Henry's friend and ally James III. who had been murdered by his rebellious subjects, had made way for the succession of his son James IV. who was devoted to the French interest, and would surely be alarmed at any important progress of the English arms. All these obvious considerations had no influence on the parliament. Inflamed by the ideas of subduing France, and of enriching themselves by the spoils of that kingdom, they gave into the snare prepared for them, and voted the supply which the king demanded. Two fifteenths were granted; and the better to enable his vassals and nobility to attend him, an act was passed, empowering them to sell their estates, without paying any fines for alienation.

Thus supported, the king crossed the sea and arrived at Calais on the 6th of October, 1492, with an army of twenty-five thousand foot, and sixteen hundred horse, which he put under the command of the duke of Bedford and the earl of Oxford: but as some inferred, from his opening the campaign in so late a season, that peace would soon be concluded between the crowns, he was desirous of suggesting a contrary inference. "He had come over," he said, "to make an entire conquest of France, which was not the work of one summer. It was therefore of no consequence at what season he began the invasion; especially as he had Calais for winter quarters." As if he had seriously intended this enterprize, he instantly marched into the enemy's country, and laid siege to Boulogne: but notwithstanding this appearance of hostility, there had been secret advances made towards peace above three months before; and commissioners had been appointed to treat of the terms. The better to reconcile the minds of men to this unexpected measure, the king's ambassadors arrived in the camp from the Low Countries, and informed him that Maximilian was in no readiness to join him; nor was any assistance to be expected from that quarter. Soon after messengers came from Spain, and brought news of a peace concluded between that kingdom and France, in which Charles had made a cession of the counties of Roussillon and Cerdagne to Ferdinand. Though these articles of intelligence were carefully dispersed throughout the army, the king was still apprehensive lest a sudden peace, after such magnificent promises and high expectations, might expose him to reproach. In order the more effectually to cover the intended measures, he secretly engaged the marquis of Dorset, together with twenty-three persons of distinction, to present him a petition for agreeing to a treaty with France. The pretence was founded on the late season of the year, the difficulty of supplying the army at Calais during winter, the obstacles which arose in the siege of Boulogne, and the desertion of those allies whose assistance had been most relied on.

In consequence of these preparatory steps, the bishop of Exeter and lord Daubigny were sent to confer at Ellstaples with the marechal de Cordes, and to put the finishing hand to the treaty. A few days sufficed for that purpose: the demands of Henry were wholly pecuniary; and the king of France, who deemed the peaceable possession of Brittany an equivalent for any sum, readily agreed to the proposals. He engaged to pay Henry seven hundred and forty-five thousand crowns, near four hundred thousand pounds sterling of our present money; partly as a reimbursement of the sums advanced to Brittany, partly as arrears of the pension due to Edward IV. And he stipulated a yearly pension to Henry and his heirs, of twenty-five thousand crowns †.

The situation of affairs now seemed to promise peace and tranquillity to England: but the duchess of Burgundy, full of resentment for the depression of her family

\* The duke of Orleans had formerly been a suitor to the duchess; but having obtained his freedom, he employed his interest at the court of Brittany in favour of Charles.  
No. XXXV.

† According to Hume, Maximilian was, if he pleased, comprehended



mily and its partizans, rather irritated than discouraged by the ill success of her past enterprizes, was determined; at least, to disturb that government which she found it so difficult to subvert. By means of her emissaries she propagated a report that her nephew Richard Plantagenet, duke of York, had escaped from the Tower, when his eldest brother was murdered, and that he still lay somewhere concealed: and finding this rumour, however improbable, to be received by the people, she had been looking out for some young man proper to personate that unfortunate prince. One Warbec, a renegado Jew of Tournay, who had been carried by some business to London in the reign of Edward IV. had there a son born to him. Having had opportunities of being known to the king, and obtaining his favour, he prevailed with that prince to stand godfather to his son, to whom he gave the name of Peter, corrupted after the Flemish manner, into Peterkin, or Perkin. It was by some believed that Edward, among his amorous adventures, had a secret commerce with Warbec's wife; and people thence accounted for that resemblance, which was afterwards remarked, between young Perkin and the monarch. Some years after the birth of this child, Warbec returned to Tournay; where Perkin his son did not long remain, but by different accidents was carried from place to place, and his birth and fortunes became unknown, and difficult to be traced by the inquiries of the most diligent scrutinizers. The variety of his adventures had happily favoured the natural versatility and sagacity of his genius; and he seemed to be a youth perfectly fitted to act any part, or assume any character. In this light he had been represented to the duchess of Burgundy, who, struck with the concurrence of so many circumstances suited to her purpose, desired to be made acquainted with the man on whom she already began to ground her hopes of success. She found him to exceed her most sanguine expectations; so comely did he appear in his person, so graceful in his air, so courtly in his address, so full of docility and good sense in his behaviour and conversation. The lessons necessary to be taught him, in order to his personating the duke of York, were soon learned by a youth of such quick apprehension; but as the season seemed not then favourable for his enterprize, Margaret, in order the better to conceal him, sent him, under the care of lady Brampton, into Portugal, where he remained a year in a manner sequestered from the prying eyes of European courtiers.

As a war was now expected to break out between the kingdoms of France and England, that circumstance seemed to afford a proper opportunity for the discovery of this new phenomenon; and Ireland, which still retained its attachment to the house of York, was chosen as the proper place for his first appearance\*. He landed at Corke; and assuming the name of Richard Plantagenet, drew to him partizans among that credulous people. He wrote letters to the earls of Desmond and Kildare, inviting them to join his party: he dispersed every where the strange intelligence of his escape from the cruelty of his uncle Richard: and the people began to make him the general subject of their discourse, and the object of their friendship and favour.

The news of the pretended duke of York soon reached France; and Charles, prompted by the secret solicitations of the duchess of Burgundy, and the intrigues of Frion, one of Henry's secretaries, who had deserted his service, sent Perkin an invitation to repair to him at Paris. He received him with all the marks of regard due to the duke of York; settled on him a handsome pension, assigned him magnificent lodgings,

and in order to provide at once for his dignity and security, gave him a guard for his person, of which lord Congresal accepted the office of captain. The French courtiers readily embraced a fiction which their sovereign thought it his interest to adopt: Perkin, both by his deportment and personal qualities, supported the prepossession which was spread abroad of his royal pedigree: and the whole kingdom was full of the accomplishments, as well as the singular adventures and misfortunes, of the young Plantagenet. Thus Perkin's account gained credit in France and in England; and the impostor began to entertain hopes of final success in his undertakings†.

Some time after a peace was concluded between France and England at Ellstaples, and Henry applied to have Perkin put into his hands; but Charles not choosing to betray him, would only agree to dismiss him. The pretended Richard now retired to the duchess of Burgundy, and craving her protection and assistance, offered to lay before her all the proofs of that birth to which he laid claim. The princess affected ignorance of his pretensions: even put on the appearance of distrust; and having, as she said, been already deceived by Simnel, she was determined never again to be seduced by any impostor. She desired before all the world to be instructed in his reasons for assuming the name which he bore; seemed to examine every circumstance with the most scrupulous nicety; put many particular questions to him; affected astonishment at his answers; and at last, after long and severe scrutiny, burst out into joy and admiration at his wonderful deliverance, embraced him as her nephew, the true image of Edward, the sole heir of the Plantagenets, and the legitimate successor to the throne of England. In the beginning of 1493, she assigned him an equipage suited to his pretended birth; appointed him a guard of thirty halberdiers; engaged every one to pay court to him; and on all occasions honoured him with the appellation of the White Rose of England. The Flemings, moved by the authority which Margaret, both from her rank and personal character, enjoyed among them, readily adopted the fiction of Perkin's royal descent. And the English, from their great communication with the Low Countries, were every day more and more prepossessed in favour of Perkin. Several of the English nobility also came into the scheme; particularly lord Fitz-Walter, Sir Simon Montfort, Sir Thomas Thwaites, betrayed their inclination towards him: Sir William Stanley himself, lord Chamberlain, who had been so active in raising Henry to the throne, entertained the project of a revolt in favour of his enemy‡. Sir Robert Clifford and William Barley were still more open in their measures: they went over to Flanders, were introduced by the duchess of Burgundy to the acquaintance of Perkin, and made him a tender of their services. Clifford wrote back to England, that he knew perfectly the person of Richard, duke of York, that his young man was undoubtedly that prince himself, and that no circumstance of his story was exposed to the least difficulty. Such positive intelligence, conveyed by a person of rank and character, was sufficient, with many, to excite the attention of the most indifferent. The whole nation was held in suspense; a regular conspiracy was formed against the king's authority; and a correspondence settled between the malecontents in Flanders, and those in this country. The king being informed of all these particulars, endeavoured to ascertain the death of the real duke of York, and to confirm the opinion which had always prevailed with regard to that event. Some persons had been employed by Richard in the murder

prehended in Henry's treaty; but he disdained to be, in any respect, beholden to an ally of whom he thought he had reason to complain: he made a separate peace with France, and obtained restitution of Artois, Franche Compté, and Charolois, which had been ceded as the dowry of his daughter when she was affianced to the king of France.

\* Polydore Verg. p. 589.

† It is recorded by Hume, that Sir George Nevil, Sir John Taylor, and above a hundred gentlemen more, went to Paris, in order to offer their services to him.

‡ Bacon, p. 608.



of his nephews, he could give evidence with regard to it: these were Sir James Tyrrel, to whom he had committed the government of the Tower for that purpose, and who had seen the dead princes; Forest and Dighton, who perpetrated the crime; and the priest who buried the bodies. Tyrrel and Dighton alone were alive, and they agreed in the same story; but as the priest was dead, and as the bodies were supposed to have been removed by Richard's orders, from the place where they were first interred, and could not now be found, it was not in Henry's power to put the fact, so much as he wished, beyond all doubt and controversy. The depositions of these wretches were, however, published. He dispersed his spies to different parts of Flanders and England; he engaged many to pretend that they had embraced Perkin's party; he directed them to insinuate themselves into the confidence of the young man's friends; in proportion as they conveyed intelligence of any conspirator, he bribed his retainers. His domestic servants, nay, sometimes his confessor, and by these means traced up some other confederate: Clifford himself he engaged, by the hope of rewards and pardon, to betray the secrets committed to him; the more trust he gave to any of his spies, the higher resentment did he feign against them; some of them he even caused to be publicly anathematized, in order the better to procure them the confidence of his enemies: and in the issue, the whole plan of the conspiracy was clearly laid before him; and the pedigree, adventures, and life, of the pretended duke of York. This part of the story was immediately published for the satisfaction of the nation; but the conspirators were reserved for a surer vengeance\*. Henry then desired the arch-duke Philip to deliver up Warbec; but the arch-duke absolutely refused, so that Henry ordered his subjects not to trade with the Flemings, and even banished the Flemings out of England: the arch-duke in return, banished the English out of Flanders.

Sir Robert Clifford was now, in 1494, directed to come over privately to England, and to throw himself at the king's feet while he sat in council; craving pardon for past offences, and offering to atone for them by any services which should be required of him. Henry then told him, that the best proof he could give of penitence, and the only service he could now render him, was the full confession of his guilt, and the discovery of all his accomplices, however distinguished by rank or character. Encouraged by this exhortation, Clifford accused Sir William Stanley, lord Chamberlain, then present, as his chief abettor; and offered to lay before the council the full proof of his guilt. Stanley himself could not discover more surprize than was affected by Henry on the occasion. He received the intelligence as absolutely false and incredible; that a man, to whom he was in a great measure beholden for his crown, and even for his life; a man to whom by every honour and favour he had endeavoured to express his gratitude; whose brother, the earl of Derby, was his own father-in-law; to whom he had even committed the trust of his person, by creating him lord Chamberlain: that this man, enjoying his full confidence and affection, not actuated by any motive of discontent or apprehension, should engage in a conspiracy against him. Clifford was therefore exhorted to weigh well the consequences of his accusation; but as he persisted in the same positive asseverations, Stanley was committed to custody, and was soon after examined before the council. He denied not the guilt imputed to him by Clifford: he did not even endeavour to extenuate it; whether he thought that a frank and open confession would serve as an atonement, or trusted to his present connections and his former services for pardon and security. But princes

are often apt to regard great services as a ground of jealousy, especially if accompanied with a craving and restless disposition in the person who has performed them. The general discontent also, and mutinous humour of the people, seemed to require some great example of severity. And as Stanley was one of the most opulent subjects in the kingdom, being possessed of above three thousand pounds a-year in land, and forty thousand marks in plate and money, besides other property of great value, the prospect of so rich a forfeiture, says Hume, was deemed no small motive for Henry's proceeding to extremities against him. After six weeks delay, which was interposed in order to shew that the king was restrained by doubts and scruples, the prisoner was brought to his trial, condemned and shortly after beheaded, on the 15th of February, 1495. The fate of Stanley made great impression on the kingdom, and struck all the partizans of Perkin with the deepest dismay. From Clifford's desertion they found that all their secrets were betrayed; and as it appeared that Stanley, while he seemed to live in the greatest confidence with the king, had been continually surrounded by spies, who reported and registered every action in which he was engaged; nay, every word which fell from him: a general distrust took place, and all mutual confidence was destroyed, even among intimate friends and acquaintance. No one knew but that his actions and conversation were registered, and transmitted to the king's council.

Perkin now found that the king's authority daily gained ground among the people, and that his own pretensions were becoming obsolete; therefore he resolved to attempt something which might revive the hopes and expectations of his partizans. Having collected a band of outlaws, pirates, robbers, and necessitous persons of all nations, to the number of six hundred men, he put to sea, with a resolution of making a descent in England, and of exciting the common people to arms, since all his correspondence with the nobility was cut off by Henry's vigilance and severity. Having received information that the king had made a progress to the north, he cast anchor on the coast of Kent, and sent some of his retainers ashore, who invited the country people to join him. The gentlemen of Kent assembled some troops to oppose him, but they purposed to do more essential service than by repelling the invasion: they carried the semblance of friendship to Perkin, and invited him to come himself ashore, in order to take the command over them. But the youth, always on his guard, observing more order and regularity in their movements, than could be supposed in new levied forces who had taken arms against established authority, refused to entrust himself into their hands: and the Kentish troops, despairing of success in their stratagem, fell upon such of his retainers as were already landed. Besides some whom they slew, they took a hundred and fifty prisoners. These were tried and condemned; and all of them executed by orders from the king.

A parliament was summoned this year in England, and another in Ireland; and some remarkable laws were passed in both countries. The English parliament enacted, that no person, who should by arms or otherwise assist the king from the time being, should ever afterwards, either by course of law or act of parliament, be attainted for such an instance of obedience. This statute might be exposed to some censure, as favourable to usurpers; but Henry, conscious of his disputed title, promoted this law, in order to secure his partizans against all events; but as he had himself observed a contrary practice with regard to Richard's adherents, he had reason to apprehend, that during the violence which

sent over to Calais, and detained in custody; but being detected in practising on his keeper for an escape, he soon after underwent the same fate. The rest were pardoned, together with William Worsey, dean of St. Paul's, and some others, who had been accused and examined, but not brought to public trial. Polydore Vergil, p. 598.

usually

\* Almost in the same instant he arrested Fitzwalter, Montfort, and Thwaites, together with William Daubeney, Robert Ratcliff, Thomas Cressenor, and Thomas Astwood. All these were arraigned, convicted, and condemned for high treason, in adhering and promising aid to Perkin. Montford, Ratcliff, and Daubeney, were immediately executed: Fitzwalter was



usually ensues on public convulsions, his example rather than his law would, in case of a new revolution, be followed by his enemies. This parliament also passed an act, empowering the king to levy, by course of law, all the sums which any person had agreed to pay by way of benevolence: a statute by which that arbitrary method of taxation was indirectly authorized and justified. The king's authority appeared equally prevalent and uncontrolled in Ireland. Sir Edward Poynings had been sent over to that country, with an intention of quelling the partizans of the house of York, and of reducing the natives to subjection. He was not supported by forces sufficient for that enterprize: the Irish, by flying into their woods, morasses and mountains, for some time eluded his efforts: but Poynings summoned a parliament at Dublin, where he was more successful. He passed that memorable statute, which still bears his name, and which establishes the authority of the English government in Ireland. By this statute all the former laws of England were made to be of force in Ireland; and no bill can be introduced into the Irish parliament, unless it previously receives the sanction of the council of England. This latter clause seems calculated for ensuring the dominion of the English; but was really granted at the desire of the Irish commons, who intended by that means to secure themselves from the tyranny of their lords, particularly of such lieutenants or deputies as were of Irish birth\*.

Perkin having been repulsed from the coast of Kent, retired into Flanders; but as he found it impossible to procure subsistence for himself and his followers, while he remained in tranquillity, he made an attempt upon Ireland; but not meeting with a friendly reception, he bent his course towards Scotland, and presented himself to James IV. who then sat on the throne of that kingdom. He had been previously recommended to this prince by the king of France, who was disgusted at some part of Henry's conduct; and this recommendation was seconded by Maximilian. The countenance given to Perkin by these princes, procured him a favourable reception with the king of Scotland, who assured him that whatever he was, he never should repent putting himself into his hands: the insinuating address and plausible behaviour of the youth himself, seem to have gained himself credit and authority. James, whom years had not yet taught distrust or caution, was seduced to believe the story of Perkin's birth and adventures; and he carried his confidence so far, as to give him in marriage the lady Catharine Gordon, daughter of the earl of Huntley, and related to himself; a young lady, eminent for her virtue as well as for her beauty and engaging manners.

Shortly after, in the spring of 1496†, James made an inroad into England; and carried Perkin along with him, in hopes that the appearance of the pretended prince might raise an insurrection in the northern counties. Perkin himself dispersed a manifesto, in which he set forth his own story, and craved the assistance of all his subjects in expelling the usurper, whose tyranny and mal-administration, whose depression of the nobility by the elevation of mean persons, whose oppression of the people by multiplied impositions and vexations, had justly, he said, rendered him odious to all men. Perkin's pretensions were not well received; so that he became rather an unwelcome guest. The ravages committed by the borderers, struck a terror into all men; and made the people prepare rather for repelling the invaders, than for joining them. Perkin, that he might support his pretensions to royal birth, feigned great compassion for the misery of his plundered subjects; and publicly remonstrated with his ally against the depredations exercised by the Scottish army. But James told him, that he doubted his concern was employed only in behalf of an enemy, and that he was anxious to

preserve what never should belong to him. That prince now began to perceive that his attempt would be fruitless; and hearing of an army which was on its march to attack him, he thought proper to retreat into his own country. And Henry discovered little anxiety to procure reparation, or to take vengeance for this insult committed on him by the Scottish nation: his chief concern was to draw advantage from it, by the pretence which it might afford him to levy impositions on his own subjects: and therefore, on the 16th of January, 1497, he summoned a parliament, to whom he made complaints against the eruption of the Scots, the absurd imposture countenanced by that nation, the cruel devastations committed in the northern counties, and the multiplied insults thus offered both to the king and kingdom of England. The parliament made the expected return to this discourse, by granting a subsidy to the amount of one hundred and twenty thousand pounds, together with two fifteenths. After making this grant they were dismissed. The vote of parliament for imposing the tax, was without much difficulty procured by the authority of Henry; but he found it not so easy to levy the money upon his subjects. The people, who were acquainted with the immense treasures which he had amassed, could ill brook the new impositions raised on every slight occasion. When the subsidy began to be levied in Cornwall, the inhabitants murmured against a tax occasioned by a sudden inroad of the Scots, from which they esteemed themselves entirely secure, and which had usually been repelled by the force of the northern counties. Their ill humour was farther incited by one Michael Joseph, a farrier of Bodmin, a notable prating fellow, who, by thrusting himself forward on every occasion, and being loudest in every complaint against the government, had acquired an authority among those unpolished people. And Thomas Flammar, a lawyer, who had become the oracle of the neighbourhood, encouraged the sedition, by informing them that the tax, though imposed by parliament, was entirely illegal; that the northern nobility were bound by their tenures to defend the nation against the Scots; and that if these new impositions were tamely submitted to, the avarice of Henry and of his ministers would soon render the burden intolerable to the nation. The Cornish people, he said, must deliver to the king a petition, seconded by such a force as would give it authority; and, in order to procure the concurrence of the rest of the kingdom, care must be taken, by their orderly deportment, to shew that they had nothing in view but the public good, and the redress of all those grievances with which the nation had been long burdened. Encouraged by the exhortations of these persons, the multitude flocked together, and armed themselves with axes, bills, bows, and such weapons as country people are usually possessed of. Flammar and Joseph were chosen their leaders. They soon conducted the Cornish men through the county of Devon, and reached that of Somerset. At Taunton the rebels killed, in their fury, an officious and eager commissioner of the subsidy, whom they called the Provost of Perin. When they reached Wells, they were joined by lord Audley, a nobleman of an ancient family, popular in his deportment, but vain, ambitious, and restless in his temper. He had from the beginning maintained a secret correspondence with the first movers in the insurrection; and was now joyfully received by them as their leader. Proud of the countenance given them by so considerable a nobleman, they continued their march; breathing destruction to the king's ministers and favourites, particularly to Morton, now a cardinal, and Sir Reginald Bray, who were deemed the most active instruments in all his oppressions. Notwithstanding their rage against the administration, they carefully followed the directions given them by their leaders; and as they met with too

\* Sir John Davies, p. 225.

† This year Henry granted a patent to John Cabot, to go

in quest of new lands with English colours.

resistance,



resistance they committed, during their march, no violence or disorder\*.

The Cornish rebels marched on to Eltham in the neighbourhood of London, where they pitched their camp, and invited all the people to join them; they, however, got reinforcement from no quarter.

Henry having levied an army with a view to oppose the Scots, had put it under the command of lord Daubeney, the chamberlain; and as soon as he heard of the Cornish insurrection, he ordered it to march southwards, and suppress the rebels. Not to leave the northern parts defenceless, he dispatched thither the earl of Surrey, who assembled the forces on the borders, and made head against the enemy. Henry found here the concurrence of the three most fatal incidents that can befall a monarchy; a foreign enemy, a domestic rebellion, and a pretender to his crown; but he enjoyed great resources in his army and treasure, and still more, in the intrepidity and courage of his temper. He did not, however, immediately give full scope to his military spirit. On other occasions he had generally hastened to a decision: and it was an usual saying with him, "That he desired but to see his rebels:" but as the Cornish mutineers behaved in an inoffensive manner, and committed no spoil on the country; as they received no accession of force on their march, or in their encampment; and as such hasty and popular tumults might be expected to diminish every moment by delay; he took post in London, and assiduously prepared the means of ensuring victory. Having collected his forces together, he divided them into three bodies, and marched out to assail the enemy. The first body, commanded by the earl of Oxford, and under him by the earls of Essex and Suffolk, were appointed to place themselves behind the hill on which the rebels were encamped: the second and most considerable, was under the command of lord Daubeney, who was ordered to attack the enemy in front, and bring on the action. The third he kept as a *corps de reserve* about his own person, and took post in St. George's Fields; where he secured the city, and could easily, as occasion served, either restore the fight, or finish the victory. To put the enemy off their guard, he had spread a report that he was not to attack them till some days after; and the better to confirm them in this opinion, he began not the action till near the evening. Daubeney beat a detachment of the rebels from Deptford bridge; and before the main body could be in order to receive him, he gained the ascent of the hill, and placed himself in array before them. They were formidable, being about sixteen thousand in number, and were no wise defective in valour; but being tumultuary troops, ill armed, and not provided with cavalry or artillery, they were but an unequal match for the king's forces. Daubeney began the attack with courage, but having imprudently rushed into the midst of them, was taken prisoner: he was, however, soon afterwards released by his own troops. After some resistance, the rebels were broken, and put to flight. Lord Audley, Flamincot, and Joseph, their leaders, were taken, and all three executed. The latter seemed even to exult in his end, and boasted with a preposterous ambition, that he should make a figure in history. The rebels, being surrounded on every side by the king's troops, were almost all made prisoners, and immediately dismissed without farther punishment. In this battle above two thousand of the rebels, and above three hundred of the king's troops, were slain on the field. This battle was fought in June, 1497.

The Scottish king remained not inactive during these commotions in England. He levied a considerable army, and sat down before the castle of Norham in Northumberland; but found that place, so well provided both with men and ammunition, that he made little or no progress in the siege. Hearing that the earl of Surrey was advancing against him, he retreated into his own country, and left the frontiers exposed to the inroads of the English general, who besieged and took Aiton, a small town and castle lying a few miles beyond

Berwick. Henry being desirous of peace as well as James, employed in this friendly office Peter Hialas, a man of address and learning, who had come to him as ambassador from Ferdinand and Isabella, and who was charged with a commission of negotiating the marriage of the infanta Catharine their daughter, with Arthur, prince of Wales. Hialas accordingly journeyed northwards, and offered his mediation between James and Henry, as minister of a prince who was in alliance with both potentates. Commissioners were soon appointed to meet, and confer on terms of accommodation. The first demand of the English was, that Perkin should be put into their hands: James replied, that he himself was no judge of the young man's pretensions, but having received him as a suppliant, and promised him protection, he was determined not to betray a man who had trusted on his good faith and generosity. The next demand of the English met with no better reception: they required reparation for the ravages committed by the late inroads into England; the Scottish commissioners replied, that the spoils were like water spilt upon the ground, which could never be recoverable, and that Henry's subjects were better able to bear the loss, than their master's to repair it. Henry's commissioners next proposed, that the two kings should have an interview at Newcastle, in order to adjust all differences; but James said, that he meant to treat of a peace, not to beg for it. Lest the conferences should break off altogether without effect, a truce was concluded for some months; and James, perceiving that, while Perkin remained in Scotland, he himself should enjoy no solid peace with Henry, privately desired him to repair to some place of greater security. Hereupon Perkin retired to the Low Countries, his usual retreat in all his disappointments. The Flemish merchants, who severely felt the loss resulting from the interruption of commerce with England, had made such interest in the arch-duke's council, that commissioners were sent to London, in order to treat of an accommodation. The Flemish court agreed, that all English rebels should be excluded the Low Countries; and in this prohibition the demesnes of the duchess-dowager were expressly comprehended. When this principal article was agreed to, all the other terms were easily adjusted. A treaty of commerce was finished, which was favourable to the Flemings, and to which they long gave the appellation of *Intercursus Magnus*, the Great Treaty: and when the English merchants returned to their usual abode at Antwerp, they were well received.

Perkin finding that the people of the Low Countries were determined to keep on terms of friendship with the court of England; he thought fit rather to hide himself, during some time, in the wilds of Ireland. Impatient, however, of a retreat, which was both disagreeable and dangerous, he held consultations with his followers, Herne, Skelton, and Ashley, three tradesmen who had failed in business: by their advice, he resolved to try the affections of the Cornish people, whose mutinous disposition, notwithstanding the king's lenity, still subsisted, after the suppression of their rebellion. He appeared at Bodmin in Cornwall in 1498, when the populace to the number of three thousand, flocked to his standard; and Perkin, elated with this appearance of success, took on him, for the first time, the appellation of Richard IV. king of England. Not to suffer the expectations of his followers to languish, he presented himself before Exeter; and, by many fair promises, invited that city to join him. Finding that the inhabitants shut their gates against him, he laid siege to the place; but being unprovided with artillery, ammunition, and every thing requisite for the attempt, he made no progress in his undertaking. Messengers were sent to the king, informing him of this insurrection: the citizens of Exeter, mean while, were determined to hold out to the last extremity, in expectation of receiving succour from the vigilance of Henry.

When that monarch was informed that Perkin was landed in England, he expressed great joy, and prepared



himself with alacrity to attack him. The courtiers, sensible that their activity on this occasion would be the most acceptable service which they could render the king, displayed their zeal for the enterprize, and forwarded his preparations. Lord Daubeney and Broke, with Sir Rice ap Thomas, hastened forward with a small body of troops to the relief of Exeter. The earl of Devonshire, and the most considerable gentlemen in the county of that name, took arms of their own accord, and marched to join the king's generals. The duke of Buckingham put himself at the head of a troop, consisting of young nobility and gentry, who served as volunteers, and who longed for an opportunity of displaying their courage and their loyalty. The king himself prepared to follow with a considerable army; and thus all England seemed united against a pretender who had at first not only engaged their attention, but divided their affections.

Information respecting these preparations was conveyed to Perkin; who immediately raised the siege of Exeter, and retired to Taunton. Though his followers amounted to about seven thousand, and seemed still resolute to maintain his cause, he himself despaired of success, and withdrew to the sanctuary of Beaulieu in the New Forest. The Cornish rebels submitted to the king's mercy, and found that it was not yet exhausted in their behalf. Except a few persons of desperate fortunes, who were executed, and some others who were severely fined, all the rest were dismissed with impunity. Lady Catharine Gordon, wife to Perkin, fell into the hands of the victor, at St. Michael's Mount, and was treated with a generosity which does him honour. He soothed her mind with many marks of regard, placed her in a reputable station about the queen, and assigned her a pension, which she enjoyed even under his successor.

As Perkin had retired to a sanctuary, Henry was at a loss what course to take. Some counselled him to make the privileges of the church yield to reasons of state, and to take him by violence from the sanctuary: but the king deemed not the matter of such importance, as to merit so violent a remedy. He employed some persons to persuade Perkin, under promise of pardon, to deliver himself into the king's hands: which being done, the king conducted him, in a species of mock triumph, to London. As Perkin passed along the road, and through the streets of the city, men of all ranks flocked about him, and the populace treated him with the utmost contempt. Notwithstanding the eyes of the nation were generally opened with regard to Perkin's real parentage, Henry required of him a confession of his life and adventures; and he ordered the account of the whole to be dispersed, soon after, for the satisfaction of the public\*. But Perkin, though his life was granted him, was still detained in custody; and keepers were appointed to guard him. Impatient of confinement he broke from his keepers, in the beginning of 1499, and flying to the sanctuary of Shene, put himself into the hands of the prior of that monastery. The prior had obtained great credit by his character of sanctity; and he prevailed on the king again to grant a pardon to Perkin. But, in order to reduce him to still greater contempt, he was set in the stocks of Westminster and Cheapside, and obliged in both places to read aloud to the people the confession which had formerly

been published in his name. He was then confined to the Tower, where his habits of restless intrigue and enterprize followed him. He insinuated himself into the intimacy of some servants belonging to Sir John Digby, lieutenant of the Tower; and, by their means, opened a correspondence with the earl of Warwick, who was confined in the same prison. This unfortunate prince, who had from his earliest youth been shut up from the commerce of men, and who was ignorant even of the most common affairs of life, had fallen into a simplicity which made him susceptible of any impression. The continued dread also of the more violent effects of Henry's tyranny, joined to the natural love of liberty, engaged him to embrace a project for his escape, by the murder of the lieutenant; and Perkin offered to conduct the whole enterprize. The conspiracy escaped not the king's vigilance: it was even very generally believed, that the scheme had been laid by himself, in order to draw Warwick and Perkin into the snare: but the subsequent execution of two of Digby's servants for the contrivance, seems to clear the king of that imputation, which was indeed founded more on the general idea entertained of his character, than on any evidence which could be procured. By this new attempt, Perkin rendered himself entirely unworthy of mercy; and he was accordingly arraigned, condemned, and soon after hanged at Tyburn, persisting still in the confession of his imposture†, on the 23d of November, 1499. The earl of Warwick was next brought to trial, and accused not of contriving his escape, but of forming designs to disturb the government, and raise an insurrection among the people. Warwick confessed the indictment, was condemned, and the sentence was executed upon him, on the 28th of the same month‡.

On account of the great fame which Henry had acquired throughout Christendom, the various potentates sought his friendship and alliance; and even pope Alexander VI. neglected not the friendship of a monarch whose reputation was so universally spread and acknowledged. In the beginning of 1500, he sent a nuncio into England, who exhorted the king to take part in the great alliance projected for the recovery of the Holy Land, and to lead in person his forces against the Infidels. But Henry, like an able politician, regretted to the nuncio the distance of his situation, which rendered it inconvenient for him to expose his person in defence of the Christian cause. He promised, however, his utmost assistance by aids and contributions; and rather than the pope should go alone to the holy wars, unaccompanied by any monarch, he even promised to overlook all other considerations, and to attend him in person. He only required as a necessary condition, that all differences should previously be adjusted among Christian princes, and that some sea-port towns in Italy should be assigned to him for his retreat and security. It was easy to conclude, that Henry had determined not to intermeddle in any war against the Turks: but by reason of his great name, the knights of Rhodes, who were at that time esteemed the bulwark of Christendom, chose the king protector of their order.

Henry now strenuously sought the alliance of Ferdinand of Arragon, whose policy had rendered him the most considerable monarch in Europe. There was also a remarkable similarity of character between these two

\* As his regard to decency, says Hume, made him entirely suppress the share which the duchess of Burgundy had had in contriving and conducting the impostor, the people, who knew that she had been the chief instrument in the whole affair, were inclined, on account of the silence on that head, to pay the less credit to the authenticity of the narrative.

† Stowe, Baker, Speed, Biondi, Hollingshed, Bacon. Some late writers, particularly Mr. Carte, have doubted whether Perkin was an impostor, and have asserted him to be the true Plantagenet; but their hypothesis have been founded in error.

‡ This violent act of tyranny, the great blemish of Henry's reign, by which he destroyed the last remaining male of the line of Plantagenet, begat great discontent among the people,

who saw an unhappy prince, that had long been denied all the privileges of his high birth, even been cut off from the common benefits of nature, now at last deprived of life merely for attempting to shake off that oppression under which he laboured. In vain did Henry endeavour to alleviate the odium of this guilt, by sharing it with his ally Ferdinand of Arragon, who, he said, had scrupled to give his daughter Catharine in marriage to Arthur, while any male descendant of the house of York remained. Men, on the contrary, felt higher indignation at seeing a young prince sacrificed, not to law and justice, but to the jealous politics of two subtle and crafty tyrants. Hume.



princes: both were full of craft, intrigue, and designs, and though a resemblance of this nature be a slender foundation for confidence and amity, where the interests of the parties in the least interfere: such was the situation of Henry and Ferdinand, that no jealousy ever arose between them. The king completed a marriage, which had been projected and negociated during the course of seven years, between Arthur, prince of Wales, and the Infanta Catharine, fourth daughter of Ferdinand and Isabella; he near sixteen years of age, she eighteen. But this marriage, which he celebrated on the 12th of November 1501, proved in the issue unprosperous. The young prince a few months after sickened and died, at Ludlow Castle, on the 2d of April, 1502. He was much regretted by the nation. Henry, desirous to continue his alliance with Spain, and also unwilling to restore Catharine's dowry, which was two hundred thousand ducats, obliged his second son Henry, whom he created prince of Wales, to be contracted to the Infanta. The prince made all the opposition of which a youth of twelve years of age was capable; but as the king persisted in his resolution, the espousals were at length, by means of the pope's dispensation, contracted between the parties. This event was afterwards attended with the most important consequences.

In the course of this year another marriage was celebrated, which was also in the next age productive of great events: the marriage of Margaret, the king's elder daughter, with James, king of Scotland. This alliance had been negotiating during three years, though interrupted by several broils. Amidst these prosperous incidents, Henry's queen died in child-bed in the Tower on the 11th of February, 1503\*; and the infant did not long survive her. This princess was deservedly a favourite of the nation; and the general affection for her increased, on account of the harsh treatment which it was thought she met with from her consort: and the people were the more confirmed in their opinion of his harsh behaviour, from the little impression which this domestic calamity made on his mind.

Henry's affairs seemed now to be in every respect prosperous. His alliances had secured the foreign powers, and his vigour and prudent conduct had reduced the people of his own nation to submission and obedience. Uncontrolled, therefore, by apprehension or opposition of any kind, he gave full scope to his natural propensity; and avarice, which had ever been his ruling passion, being increased by age, and encouraged by absolute authority, broke all restraints of shame or justice. He diligently sought out two ministers, (Empson and Dudley †,) who were perfectly qualified to second his rapacious and tyrannical inclinations, and to prey upon his defenceless people. It was the usual practice of these execrable tyrants, at first to observe so far the appearance of law, as to give indictments to those whom they intended to oppress: upon which the persons were committed to prison, but never brought to trial; and were at length obliged, in order to recover their liberty, to pay heavy fines and ransoms, which were called mitigations and compositions. By degrees the very appearance of law was neglected: the two ministers sent forth their precepts to attach men, and summon them before themselves and some others, at their private houses, in a court of commission, where, in a summary manner, without trial or jury, arbitrary decrees were issued, both in pleas of the crown, and

controversies between private parties. Juries themselves, when summoned, proved but small security to the subject; being brow-beaten by these oppressors, nay fined, imprisoned, and punished, if they gave sentence contrary to the inclination of the ministers. The whole system of the feudal law, which still prevailed, was turned into a scheme of oppression. Even the king's wards, after they came of age, were not suffered to enter into possession of their lands without paying exorbitant fines. Men were also harassed with informations of intrusion upon scarce colourable titles. When an outlawry in a personal action was issued against any man, he was not allowed to purchase his charter of pardon, except on the payment of a great sum; and if he refused the composition required of him, the strict law, which in such cases allows forfeiture of goods, was rigorously insisted on. Nay, without any colour of law, the half of men's lands and rents were seized during two years, as a penalty in case of outlawry. But the chief means of oppression employed by these ministers were the penal statutes, which, without consideration of rank, quality, or services, were rigidly put in execution against all men: spies, informers, and inquisitors, were rewarded and encouraged in every quarter of the kingdom: and no difference was made whether the statute were beneficial or hurtful, recent or obsolete, possible or impossible to be executed. The sole end of the king and his ministers was to amass money, and bring every one under the lash of their authority ‡. On account of these oppressions the people looked for protection from the parliament, which was frequently summoned during this reign, but they looked in vain. In January, 1504, that assembly was so overawed, that the commons chose for their speaker Dudley, the very man who was the chief instrument of Henry's iniquities. And though the king was known to be immensely opulent, and had no pretence of wars or expensive enterprizes of any kind, they granted him the subsidy which he demanded. But so insatiable was his avarice, that next year, 1505, he levied a new benevolence, and renewed that arbitrary and oppressive method of taxation. By all these arts of accumulation, joined to a rigid frugality, he so filled his coffers, that he is said to have possessed in ready money the sum of one million, eight hundred thousand pounds: this was an amazing treasure, if we consider the scarcity of money in those times §.

This year Henry sent three persons whom he could confide in to Italy and Spain, to enquire into the person and condition of the young queen of Naples, whom he had thought of espousing; and also to enquire into the affairs and designs of Ferdinand, king of Castile and Arragon, whose queen, Isabella, had lately died. Nothing at first could turn out more contrary to the king's wishes than the transactions in Spain. Ferdinand, as well as Henry, had become very unpopular, and from a like cause, his former exactions and impositions, and the states of Castile discovered an evident resolution of preferring the title of Philip and Joan. In order to take advantage of these favourable dispositions, the arch-duke, now king of Castile, attended by his consort, embarked for Spain in January, 1506; but, meeting with a violent tempest in the Channel, was obliged to take shelter at Weymouth on the English coast. Sir John Trenchard, a gentleman of authority in the county of Dorset, hearing of a fleet upon the coast, had assembled some forces; and being joined by Sir John Cary,

\* She was buried at Westminster. Stowe.

† These instruments of oppression were both lawyers; the first was a person of mean birth, of brutal manners, and of an unrelenting temper, the second had been better born, better educated, and better bred, but was equally unjust, severe, and inflexible. By their knowledge in law these men were qualified to pervert the forms of justice to the oppression of the innocent; and the formidable authority of the king supported them in all their iniquitous inclinations and practices.

‡ Such is the account we gather from Bacon, p. 629, 630; Hollinghed, p. 504; Polyd. Verg. p. 618, 615; and other

historians.

§ Silver was, during this reign, at thirty-seven shillings and sixpence a pound, which makes Henry's treasure near three millions of our present money. Besides, many commodities have become above thrice as dear by the increase of gold and silver in Europe. And what is a circumstance of still greater weight, all other states were then very poor in comparison of what they are at present: these circumstances make Henry's treasure appear very great; and may lead us to conceive the oppressions of his government.



who was also at the head of an armed body, he came to that town. Finding that Philip, in order to relieve his sickness and fatigue, was already come ashore, he invited him to his house; and immediately dispatched a messenger to inform the court of this important incident. The king sent in all haste the earl of Arundel to compliment Philip on his arrival in England, and to inform him that he intended to pay him a visit in person, and to give him a suitable reception in his dominions. Philip knew that he could not now depart without the king's consent; and therefore, for the sake of dispatch, he resolved to anticipate his visit, and to have an interview with him at Windsor. Henry received him with all the magnificence imaginable, and with every possible cordiality; but he resolved, notwithstanding, to draw some advantage from this involuntary visit paid him by his royal guest.

Edmund de la Pole, earl of Suffolk, nephew to Edward IV. and brother to the earl of Lincoln, slain in the battle of Stoke, had some years before killed a man in a sudden fit of passion, and had been obliged to apply to the king for a remission of the crime. The king had granted his request; but being little indulgent to all persons connected with the house of York, he obliged him to appear openly in court and plead his pardon. Suffolk, more resenting the affront than grateful for the favour, had fled into Flanders, and taken shelter with his aunt, the duchess of Burgundy: but being promised forgiveness by the king, he returned to England and obtained a new pardon. Affected, however, by the natural inquietude of his temper, and uneasy from debts which he had contracted by his great expence at prince Arthur's wedding, he again made an elopement into Flanders. The king, well acquainted with the general discontent which prevailed against his administration, neglected not this incident, which might become of importance; and he employed his usual artifices to elude the efforts of his enemies. He directed Sir Robert Curson, governor of the castle of Flammes, to desert his charge, and to insinuate himself into the confidence of Suffolk, by making him a tender of his services. Upon information secretly conveyed by Curson, the king seized William Courtney, eldest son to the earl of Devonshire, and married to the lady Catharine, sister of the queen; William de la Pole, brother to the earl of Suffolk; Sir James Tyrrel, and Sir James Windham, with some persons of inferior quality; and he committed them to custody. Lord Abergavenny and Sir Thomas Green were also apprehended; but were soon after released from their confinement. William de la Pole was long detained in prison; Courtney was attainted, and though not executed, he recovered not his liberty during the king's life-time. But Henry's chief severity fell upon Sir James Windham and Sir James Tyrrel, who were brought to their trial, condemned, and executed: the fate of the latter gave general satisfaction, on account of his participation in the murder of the young princes, sons of Edward IV. Notwithstanding these discoveries and executions, Curson was still able to maintain his credit with the earl of Suffolk: Henry, in order to remove all suspicion, had ordered him to be excommunicated, together with Suffolk himself, for his pretended rebellion. But after that traitor had performed all the services expected from him, he suddenly deserted the earl, and came over to England, where the king received him with unusual marks of favour and confidence. Suffolk, astonished at this instance of perfidy, finding that even the duchess of Burgundy, tired with so many fruitless attempts, and become indifferent to his cause, fled secretly into France, thence into Germany, and returned at last into the Low Countries;

where he was protected, though not countenanced, by Philip, then in close alliance with the king. Henry neglected not the present opportunity of complaining to Philip of the reception which Suffolk had met with in his dominions. "I really thought," replied the king of Castile, "That your greatness and felicity had set you far above apprehensions from any person of so little consequence: but, to give you satisfaction, I shall banish him my state." "I expect that you will carry your complaisance farther," said the king. "I desire to have Suffolk put into my hands, where alone I can depend upon his submission and obedience." "That measure," said Philip, "will reflect dishonour upon you as well as myself. You will be thought to have treated me as a prisoner." "Then the matter is at an end," replied the king, "for I will take that dishonour upon me; and so your honour is saved." The king of Castile, however, complied, but not without having first obtained Henry's promise, that he would spare Suffolk's life. That nobleman was invited over to England by Philip; as if the king would grant him pardon, on the intercession of his friend and ally. Upon his appearance, in March, 1506, he was committed to the Tower; and the king of Castile, having fully satisfied Henry, as well by this concession, as by signing a treaty of commerce between England and Castile, which was advantageous to the former kingdom, was at last allowed to depart, after a stay of three months. He landed in Spain, was joyfully received by the Castilians, and was immediately put in possession of the throne. He died in September following, and Joan his widow falling into deep melancholy, Ferdinand was again enabled to reinstate himself in authority, and to govern till the day of his death the whole Spanish monarchy.

Nothing memorable occurs in the remaining part of Henry's reign, except his affiancing his second daughter, Mary, to the young arch-duke, Charles, son of Philip of Castile, in December 1507. He entertained also some intentions of marriage for himself, first with the queen-dowager of Naples, relict of Ferdinand, afterwards with the duchess dowager of Savoy, daughter of Maximilian, and sister of Philip. But the decline of his health put an end to all such thoughts; and he began to cast his eye towards that future existence, which the iniquities and severities of his reign rendered a very dismal prospect to him. To allay the terrors under which he laboured, he endeavoured, by distributing alms, and founding religious houses\*, to make atonement for his crimes, and to purchase by the sacrifice of part of his ill-gotten treasures, a reconciliation with his justly offended Maker. Remorse seized him, at intervals, for the abuse of his authority by Empson and Dudley; but not sufficient to make him stop the rapacious hand of those oppressors, his avarice still being predominant: Sir William Capel was again fined two thousand pounds, under some frivolous pretence, and was committed to the Tower for daring to murmur against the iniquity. Harris, an alderman of London, was indicted, and died of vexation before his trial came to an issue. Sir Laurence Aulmer, who had been mayor, and his two sheriffs, were condemned in heavy fines, and sent to prison till they made payment. The king gave countenance to all these oppressions; till death, by its nearer approaches, impressed new terrors upon him; and he then ordered, by a general clause in his will, that restitution should be made to all those whom he had injured. He died of a consumption, at his favourite palace of Richmond, on the 22d of April, 1509, after a reign of twenty-three years and eight months, and in the fifty-second year of his age†.

\* He built the chapel at Westminster which bears his name, and is contiguous to the abbey, at the expence of fourteen thousand pounds, money of that age. He also built three houses for Franciscans, called Observants, at Richmond, Greenwich, and Newark; and likewise three for conventuals at Canterbury, Newcastle, and Southampton. He turned the

Savoy into an hospital.

† His monument is a most magnificent mausoleum, erected in the fine chapel, which is added to Westminster-Abbey. It was made by Peter, a Florentine, for one thousand pounds sterling, and is all of wrought copper, which the artist obliged himself to find. It is allowed to be one of the finest pieces of workman-



If the history of this reign be read with but little attention, it will easily be perceived, that Henry's views were but two. The first was to keep the crown, acquired by extraordinary good fortune, and perhaps unthought of, before he was invited into England by the duke of Buckingham. The other was to accumulate riches\*. As he never suffered himself to be diverted by other thoughts, his whole application centered upon one single object, namely, upon thoroughly examining every thing that could have any relation to the ends he had proposed. Ambition, honour, glory, love, pleasures, and all the other passions which generally disquiet the hearts of princes, made but little impression upon him. Content with enjoying his crown, he thought neither of new acquisitions, nor of rendering his name illustrious by great actions. All his thoughts were confined to prevent or defeat the designs of his domestic enemies, or to fill his coffers. He had a wonderful sagacity, to discover, in the affairs that occurred, the side from whence some advantage could be drawn. This is what he plainly shewed in the affair of Brittany, in his pretended wars with France and Scotland, and even in his domestic troubles, which by his address, turned all to his profit.

Though he was sometimes forced to take arms, never prince loved peace more than he. As he had no ambition, he saw no advantage for him in war. On the contrary, he considered that all the events of a war, whether foreign or domestic, were against him. The former could at most but procure him some glory and acquisitions abroad, of which he was not very desirous: and by the latter he might be a great loser. Besides, a time of commotion afforded no opportunities to ac-

cumulate riches. So laying down this fixed principle of his policy, not to engage in any war without an absolute necessity, he never swerved from it. It is this that made him unconcernedly behold the loss of Brittany, and without resentment suffer the insults of the king of Scotland, because it was not from the war that he intended to reap any advantage, but only from the preparations that were to be made to support it. However, this policy would have been unreasonable when it was attacked by domestic enemies, whose aim was to rob him of his crown. As his all was then to stake, he cheerfully faced the danger, though with all the precautions possible not to run any hazard. He won two battles upon the rebels, one at Stoke, and the other at Blackheath. But in both he was very superior in number of troops, and fought against persons ill-armed and unskilled in the art of war. So it cannot be said what he would have done, had he been opposed with equal forces. It is no less difficult to know, whether it was owing to his courage that he headed his armies in person, or to his disgust of those who served him. However this be, he was always fortunate in his domestic wars, and thereby gained so great a reputation, that all the princes of Europe earnestly courted his alliance. On the other hand, says Rapin, the esteem foreigners expressed for him, did not a little contribute to render him formidable to his subjects. I say formidable, for it is certain he was never beloved. In short, his method of governing, which approached to arbitrary power, especially towards the end of his reign, his insatiable avarice, his haughtiness, his pride, and his dark and reserved temper, were no proper qualities to win the affections of his people.

workmanship in the world, as lord Bacon confirms in his history of this prince's reign, where he says, "That he lieth buried at Westminster, in one of the stateliest and daintiest monuments of Europe, both for the chapel and for the sepulchre; so that he dwelleth more richly dead in the monument of his tomb, than he did live in Richmond, or any of his palaces."

On the south side of this tomb, towards the top, and near the king's effigies, is this inscription:

*"Hic jacet Henricus ejus nominis septimus, Angliæ quondam rex, Edmundi Richmondia comitis filius, quid die XXII. Augusti rex creatus, statim post apud Westmonasterium die XXX Octobris coronatur, Anno Domini 1485. Moritur deinde XXI. die Aprilis Anno ætatis LIII. Regnavit annos XXIII. Menses VIII. minus uno die."*

## IN ENGLISH:

"Here lies Henry VII. of that name, king of England, son of Edmund, earl of Richmond; who being created king August 22, was crowned the 30th of October following, in the year of our Lord 1485. He died April 21, in the fifty-third year of his age, and reigned twenty-three years, and eight months, wanting one day."

On the north side of this monument on the left hand of this prince's effigies, lies that of Elizabeth his queen, under which, in a square tabature, is this epitaph:

*"Hic jacet Regina Elizabetha Edwardi quarti quondam regis filia, Edwardi quinti regis quondam nominati soror, Henrici octavi regis mater inclita. Obiit autem suum diem in turrim Londontarum, Dic. xi. Feb. Anno Domini 1502. 38. Annorum ætate juncta."*

## IN ENGLISH:

"Here lies queen Elizabeth, daughter of King Edward IV. sister of king Edward V. wife of king Henry VII. and renowned mother of king Henry VIII. She died Feb. 11, 1502, in the Tower of London, having compleated her thirty-eighth year."

On the frieze of this monument beginning on the south side, at the head, are these Latin verses:

*"Septimus hic situs est Henricus, gloria regum,  
Cunctorum, ipsius qui tempestate fuerunt.  
Ingenuo atque opibus, gestarum & nomine rerum,  
Autessere quibus naturæ dona benignæ:  
Frontis honos, facies angusta, heroica forma.  
Junctaque et suavis conjux, præpulchra, pudica.  
Et læcunda fuit: felices pole parentes,  
Henricum quibus octauum terra Anglia debet."*

## IN ENGLISH:

"Here lies Henry VII. the glory of the kings of his time, No. XXXV."

for wisdom, riches, and the fame of his great actions. To which nature had bounteously added her choicest gifts; elevation of aspect, majesty of features, and dignity of form. He was joined in marriage to a consort equally affectionate, beautiful, chaste, and fruitful. Happy parents in their offspring; to whom, England, you owe a Henry VIII."

And about the scutcheon both within and without, are embossed these verses in old English characters:

*"Septimus Henricus tumulo requiescit in isto,  
Qui regum splendor, lumen et orbis erat;  
Rex vigil, et sapiens, comis virtutis amator,  
Egregius forma, strenuus atque potens:  
Qui peperit pacem regno, qui bella peregit  
Plurima, qui victor semper ab hoste redit;  
Qui natus binis conjunxit regibus ambus,  
Regibus et cunctis federe junctus erat:  
Qui sacrum hoc struxit templum, statuit que sepulchrum,  
Pro se, proque sua conjuge, prole, domo.  
Lustra decem atque annos tres plus compleverat annis,  
Nam tribus octenis regia sceptrata tulit.  
Quindecies Domini centerus fluxerat annus.  
Currebat nonus, cum venit atra dies.  
Septima ter mensis lux tum fulgebat Aprilis,  
Cum clausit summon tanta corona diem.  
Nulla dedere prius tantum tibi secula regem  
Anglia, vix similem posterora dabunt."*

## IN ENGLISH:

"In this tomb rests Henry VII. who was the glory of kings, and the light of the world. A vigilant and wise prince, a lover of wholesome virtue, egregious for beauty, strength, and resolution: who restored the kingdom's peace, terminated many wars, and always returned victorious from his enemies: who married his two daughters to two, and was in alliance with all kings: who founded this holy chapel, and erected this sepulchre for himself, his consort, issue, and family. He lived fifty-three years, and reigned near twenty-four. He died April 21, 1509. England! no former ages have given thee so great a king; future will scarce give thee his equal!"

\*As a proof of Henry's avarice we find him paying attention to things whereby the smallest profits might arise. Bacon tells us, that he had seen a book of accounts kept by Empson, and subscribed in almost every leaf by the king's own hand. Among other articles was the following: "Item, Received of such a one five marks for a pardon, which if it do not pass the money to be repaid, or the party otherwise satisfied." Opposite to the memorandum the king had written with his own hand, "otherwise satisfied." Bacon, p. 630.



He never opened his mind to any man, except perhaps to one or two ministers. As for the rest, he set them to work without knowing themselves the motives of their own proceedings. The world was so persuaded he had always some hidden design even in his most indifferent actions, that what was only a pure effect of chance was often ascribed to his policy.

His spies in foreign courts gave him an extensive knowledge of all that passed there. On the other hand, his ambassadors were always charged to inform themselves of the secrets of the prince to whom they were sent. Very often this was the principal article of their instructions. By this means he made such discoveries as enabled him to convince the foreign ministers, residing at his court, of his great insight into their master's affairs. Hence he reaped many considerable advantages, chiefly in that the princes of Europe fearing his abilities, were very forward to live in good understanding with him. His strict friendship with Ferdinand, king of Arragon, a prince of much the same character, was extremely useful to him. Probably it hindered the court of France from interposing more in the affairs of England, and was one of the principal causes of his constant peace with his neighbours.

Instead of increasing the credit of the nobility, he took all possible care to lessen it. His council was almost wholly composed of churchmen and lawyers, who being devoted to his interests, never opposed his will. This unlimited compliance of his council, was the cause of his addicting himself to his natural passion of heaping up money, there being no person about him, that had boldness of conscience enough to give him good advice upon that head. This conduct drew upon him the hatred of the English, which at first made him somewhat uneasy; but when he had surmounted all his troubles, he regarded it not. On the contrary, he affected to rule with an absolute power, making of his council a court of justice, where all the pleas of the crown were decided, which had never been done before by any of his predecessors.

He has been extremely praised for the good laws made in his reign, as if he had been the sole legislator, and his parliament no ways concerned. Hence perhaps was given him the glorious name of the Solomon of England, though he much more resembled that prince in the heavy yoke he laid on his people. But if these laws are carefully examined, it will doubtless be found, that the king's interest was the true motive, though in appearance they seemed to be made for the good of the people. Thus did William the Conqueror formerly act, whom Henry resembled in so many things that they may be every justly compared. In short, Henry's most distinguishing character was, that he lived entirely for himself, considered things only with respect to his own private interest, and regarded not any affairs where that was not concerned, indeed such a character is not uncommon among princes. But he had this in particular, that whereas the interest of other princes is usually divided into several branches, Henry's was in a manner contained in one single branch, namely to have always full coffers.

He was extremely suspicious, as are generally those who act by secret ways, because they think all the world like themselves. The house of York's title, and the people's opinion concerning it, filled his mind with fears and suspicions, with which he was continually racked. It is true, he took great care to conceal his uneasiness. But his conduct and precautions plainly demonstrated, his mind was not as he would have had it thought to be, at rest. This perpetual distrust led him incessantly to prevent the dangers, in which he was not always successful. Witness the report that caused to be spread that the duke of York was alive, which had a quite contrary effect to what he expected. His genius was but mean. He saw better near than at a distance, and his wisdom, consisted more in extricating himself out of difficulties, than in finding means to avoid them. The chief troubles of his reign may be said to have happened by his

fault. However, he acquired, by a long experience, qualities which by nature he had not.

It is not surprising, that a prince always intent upon preventing the rebellion of his subjects, and continually employed in heaping up money, should have performed nothing glorious for himself or the kingdom. Conquerors do not always make the greatest kings. On the contrary, peace would have been very advantageous to the English, had it rendered them happy. But it was still more fatal to them than war itself, since the king's insatiable avarice incessantly carried him to devise means to accumulate riches, which could be done only at their expence. There are princes that heap up money solely to disperse it; but Henry kept it carefully in his coffers, without any communication. Liberality was a virtue he did not pretend to. If he made any present, it was only to spies or informers.

As for his religion and morals, nothing certain can be affirmed, by reason of the contrarieties which met in him. He was chaste, temperate, an enemy to open and scandalous vices, constant in the exercises of devotion, and observing strict justice where his interest was not concerned. But on the other hand, his extreme avarice made him commit many injustices, and the fear of losing his crown, caused him to consider as lawful, all means which could free him from that danger, how unjust soever they might be in other respects. The earl of Warwick's death will be an everlasting stain to his memory. His making a jest of religion, in causing a solemn procession to be made on purpose to shew that prince to the people, and the excommunications he ordered to be pronounced against his own spies, are clear evidences that his religion was not proof against his interest.

In general, it cannot be denied, this prince had great abilities; but as these abilities centered only in himself, they would have been more valuable in a private person than a great monarch. Though all his projects were crowned with success, his reign cannot be said to be happy, either for himself or for England. He lived under continual fears and suspicions, and his subjects were always exposed either to domestic troubles or oppression. One thing rendered this reign remarkable; namely, that by Henry's abilities, the civil wars, which had so long afflicted England, were at length happily ended, since it was very indifferent, with respect to the welfare of the English, whether the kingdom was governed by a prince of the house of Lancaster, or a prince of the house of York.

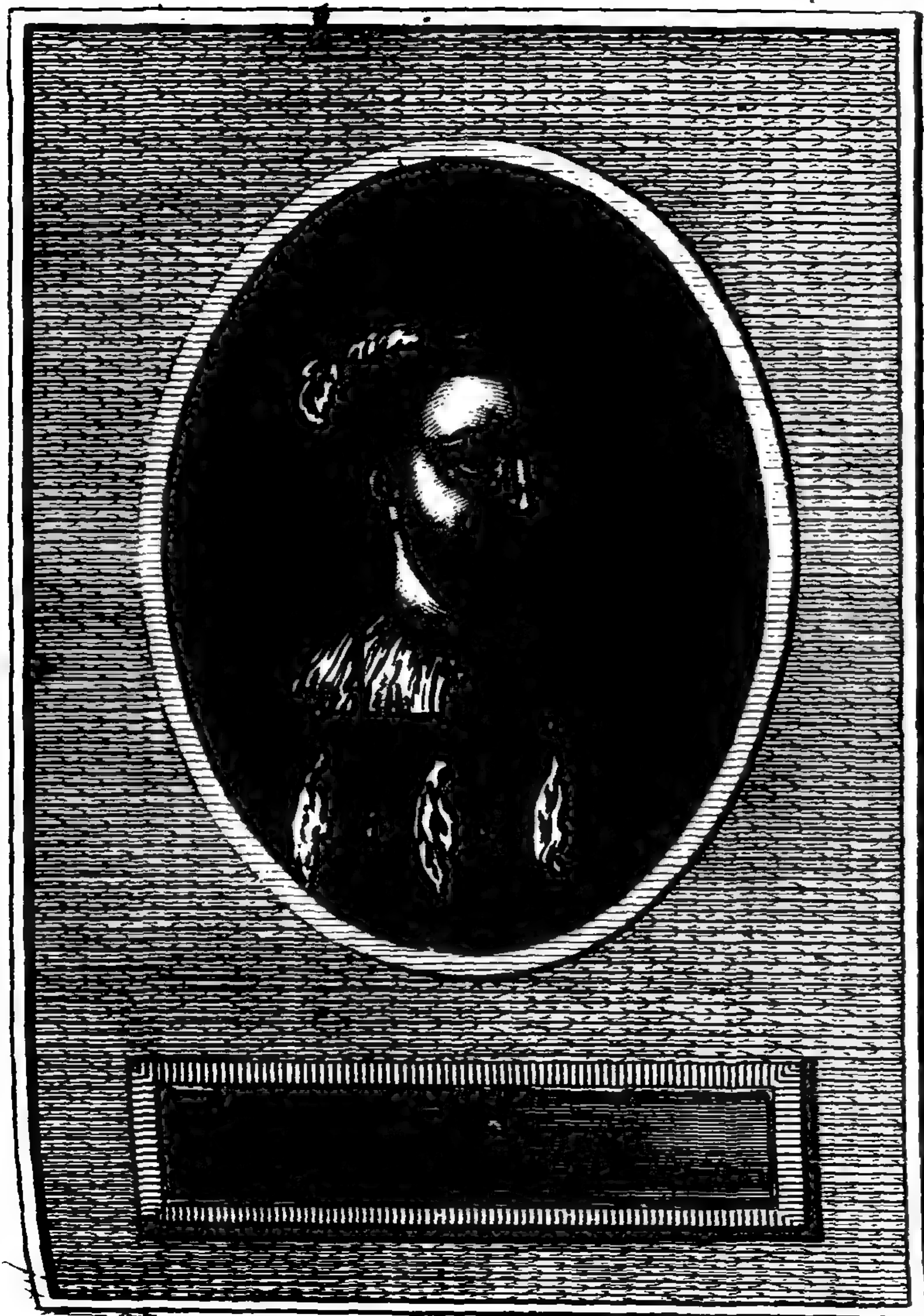
Henry VII. was of a serious temper, ever thoughtful and intent upon his affairs, without being diverted by his pleasures, to which he was little addicted. He had a book wherein he marked down with his own hand, the qualities and characters of the persons he knew, in order to employ them upon occasion. A monkey that he kept in his chamber, having one day tore his note book all to pieces, he appeared grieved as at some very great loss.

He was of stature taller than the generality of Englishmen. His face was long, thin, and lean, like the rest of his body, but with all very grave, which made people speak to him with fear. He could, however, be affable, when his affairs required it. He was rather studious than learned. What he read in his leisure hours was generally French, though he likewise understood Latin.

By his queen, Elizabeth of York, eldest daughter of king Edward IV. Henry had four sons; 1. Arthur, born September 23, 1486. He died April 2, 1502. 2. Henry, born June 28, 1491, who succeeded him. 3. Edmund, born February 21, 1498; he departed this life in 1499. 4. Edward, born in February, 1500, who died young. He had also four daughters; 1. Margaret, born November 29, 1489, married, in 1503, to James IV. king of Scotland. 2. Elizabeth, born July 2, 1492; she died September 14, 1495. 3. Mary, born in 1498, married Lewis XII. king of France. 4. Catherine, born February 2, 1503, died soon after.



*Engraved for Ashburton's History of England.*





## C H A P. II.

## H E N R Y VIII.

ON the death of Henry VII. his son Henry succeeded to the throne. He was then about eighteen years of age. His father, in order to remove him from the knowledge of public business, had hitherto occupied him entirely in the pursuits of literature; and the proficiency which he made gave no bad prognostic of his parts and capacity. Even the vices of vehemence, ardour, and impatience, to which he was subject, and which afterwards degenerated into tyranny, were considered only as faults incident to unguarded youth, which would be corrected when time had brought him to greater moderation and maturity. And as the contending titles of York and Lancaster were now at last fully united in his person, men justly expected from a prince, noxious to no party, that impartiality of administration, which had long been unknown in this country. He shewed great prudence in the establishment of his new council, and chose for his advisers, Warham, archbishop of Canterbury, and chancellor; the earl of Shrewsbury, steward; lord Herbert, chamberlain; Sir Thomas Lovel, master of the wards and constable of the Tower; Sir Edward Poynings, comptroller; Sir Henry Marney, afterwards lord Marney; Sir Thomas Darcy, afterwards lord Darcy; Thomas Ruthal, doctor of laws; and Sir Henry Wyat. These men had long been accustomed to business under the late king, and were the least unpopular of all the ministers employed by that monarch.

The young king indulged himself in many extravagancies, inasmuch that the vast treasures which had been amassed by the late king, were gradually dissipated in the giddy expences of the present. One party of pleasure succeeded to another: tilts, tournaments, and carousals, were exhibited with all the magnificence of his age: and as the present tranquillity of the public permitted the court to indulge itself in every amusement, serious business was but little attended to. Or if the king intermitted the course of his festivity, he chiefly employed himself in an application to music and literature, which were his favourite pursuits, and which were well adapted to his genius. He had made such proficiency in the former art, as even to compose some pieces of church music which were sung in his chapel. He was initiated in the elegant learning of the ancients. And though he was so unfortunate as to be seduced into a study of the barren controversies of the schools, which were then fashionable, and had chosen Thomas Aquinas for his favourite author, he still discovered a capacity fitted for more useful and entertaining knowledge.

A proclamation was soon after issued to encourage complaints, and the rage of the people was let loose on all informers, who had so long exercised an unbounded tyranny over the nation\*: they were thrown into prison, condemned to the pillory, and most of them lost their lives by the violence of the populace. Empson and Dudley, who were most exposed to public hatred, were immediately summoned before the council, in order to answer for their conduct, which had rendered them so disagreeable in the eyes of the people. Empson made a shrewd apology for himself, as well as for his associates. He told the council, "That so far from his being justly exposed to censure for his past conduct, his enemies themselves grounded their clamour on ac-

tions which seemed rather to merit reward and approbation: that a strict execution of law was the crime of which he and Dudley were accused; though that law had been established by general consent, and though they had acted in obedience to the king, to whom the administration of justice was entrusted by the constitution: that it belonged not to them, who were instruments in the hands of supreme power, to determine what laws were recent or obsolete, expedient or hurtful; since they were all alike valid, so long as they remained unrepealed by the legislature: that it was natural for a licentious populace to murmur against the restraints of authority; but all wise states had ever made their glory consist in the just distribution of rewards and punishments, and had annexed the former to the observance and enforcement of the laws, the latter to their violation and infraction: and that a sudden overthrow of all government might be expected, where the judges were committed to the mercy of the criminals, the rulers to that of the subjects†." Notwithstanding this defence, Empson and Dudley were sent to the Tower; and soon after brought to their trial. They were, however, not tried on account of their extortions; but it was pretended, that they had entered into a conspiracy against the sovereign, and had intended, on the death of the late king, to have seized by force the administration of the national affairs: and the jury were so far moved by popular prejudices, joined to court influence, as to give a verdict against them; which was afterwards confirmed by a bill of attainder in parliament‡, and at the earnest desire of the people was executed by warrant from the king§. Thus, in those arbitrary times, justice was equally violated, whether the king sought power and riches, or courted the good wishes of his subjects.

The new monarch, while he punished the instruments of past tyranny, had yet such deference to former engagements as to deliberate, immediately after his accession, concerning the celebration of his marriage with the infant Catharine, to whom he had been affianced during his father's life time. Her former marriage with his brother, and the inequality of their years, were the chief objection urged against his espousing her: but on the other hand, the advantages of her known virtue, modesty, and sweetness of disposition, were insisted on; the affection which she bore to the king: the large dowry to which she was entitled as princess of Wales; the interest of cementing a close alliance with Spain; the necessity of finding some confederate to counterbalance the power of France; the expediency of fulfilling the engagements of the late king: when these considerations were weighed, they determined the council, though contrary to the opinion of the primate, to give Henry their advice for celebrating the marriage, which was accordingly done on the 3d of June. The countess of Richmond, who had concurred in the same sentiments with the council, died on the 29th of the same month.

Henry's undisputed title, his extensive authority, the popularity of his government, his large treasures, and the tranquillity of his subjects, rendered his domestic administration easy and prosperous: the situation of foreign affairs was no less happy and desirable, and Henry's alliance was courted by all parties; at the same time that he was not engaged by any immediate interest or necessity to take part with any.

On the 10th of April, 1510, Julius II. the reigning pontiff, sent Henry a consecrated rose, perfumed with

the accused: more severe punishments were enacted against perjury: the false inquisitions procured by Empson and Dudley were declared null and invalid. Traverses were allowed; and the time of tendering them enlarged. 1 Hen. VIII. c. 8, 10, 11, 12.

§ Empson and Dudley were beheaded on Tower Hill, Aug. 17, 1519.

must,

\* Herbert, Stowe, p. 486. Hollingshed, p. 799. Polyd. Verg. lib. xxviii.

† Herbert, Hollingshed, p. 804.

‡ This parliament met on the 21st of January, 1510. A law was there enacted, in order to prevent some abuses which had prevailed during the late reign. The forfeiture upon the penal statutes was reduced to the term of three years. Costs and damages were given against informers upon acquittal of



musks, and anointed with chrism: this was done with a view to engage Henry in alliance with him against the French. The pope also engaged Christopher Bambridge, archbishop of York, and Henry's ambassadors at the court of Rome in his interests. Bambridge persuaded Henry to enter into the league against France, and the pope for his services made him a cardinal on the 11th of March, 1511. The French king finding himself so beset by the pope, and liable to be greatly disturbed by his machinations, thought it requisite to make an attempt on the pope himself, and to dispoil him as much as possible, of that sacred character which chiefly rendered him formidable. He engaged some cardinals, disgusted with the violence of Julius, to desert him; and by their authority, he was determined, in conjunction with Maximilian, who still adhered to his alliance, to call a general council which might reform the church, and check the exorbitancies of the Roman pontiff. A council was summoned at Pisa, which from the beginning bore a very inauspicious aspect, and promised little success to his adherents. Except a few French bishops, who unwillingly obeyed the king's commands in attending the council, all the other prelates kept aloof from an assembly which they regarded as the offspring of faction, intrigue, and worldly politics. Even Pisa, the place of their residence, shewed them signs of contempt; which engaged him to transfer their session to Milan, a city under the dominion of the French monarch. Notwithstanding this advantage, they did not experience much more respectful treatment from the inhabitants of Milan; and found it necessary to make another remove to Lyons. Lewis himself fortified these violent prejudices in favour of papal authority, by the symptoms which he discovered, of regard, deference, and submission to Julius, whom he always spared, even when fortune had thrown into his hands the most inviting opportunities of humbling him. And as it was known, that his consort, who had great influence over him, was extremely disquieted in mind on account of his dissensions with the holy father, all men prognosticated to Julius final success in his contest, which was very unequal. The enterprising pontiff knew his advantages, and availed himself of them with the utmost insolence. So much had he neglected his sacerdotal character, that he acted in person at the siege of Mirandola, visited the trenches, saw some of his attendants killed by his side, and, like a young soldier, cheerfully bore all the rigours of winter and a severe season, in pursuit of military glory: yet was he still able to throw, even on his most moderate opponents, the charge of impiety and prophaneness. He summoned a council at the Lateran: he put Pisa under an interdict, and all the places which gave shelter to the schismatical council: he excommunicated the cardinals and prelates who attended it: he even pointed his spiritual thunder against the princes who adhered to it: he freed their subjects from all oaths of alliance; and gave their dominions to every one who could take possession of them.

In the year 1512 pope Julius gave Henry hopes, that the title of Most Christian King, (which had hitherto been annexed to the crown of France, and which was regarded as its most precious ornament,) should, in reward of his services, be transferred to that of England. Impatient also of acquiring distinction in Europe, he could not long remain neuter amidst the noise of arms; and the natural enmity of the English against France, as well as their ancient claims upon that kingdom, led Henry to join that alliance, which the pope, Spain, and Venice, had formed against the French monarch. A herald was sent to Paris, to exhort Lewis not to wage impious war against the sovereign pontiff; and when he returned without success, another was sent to demand the ancient patrimonial provinces, Anjou, Maine, Guienne, and Normandy. This message was understood to be a declaration of war; and a parliament being summoned on the 4th of February, readily granted supplies for a purpose so much favoured by the English nation.

By the advice of Ferdinand, Henry sent forces to

Fontarabia, whence it was supposed he could easily make a conquest of Guienne, a province in which it was imagined the English had still some adherents. Ferdinand promised to assist this conquest by the junction of a Spanish army; and so forward did he seem to promote the interests of his son-in-law, that he even sent vessels to England, in order to transport over the forces which Henry had levied for that purpose. The marquis of Dorset commanded this armament, which consisted of ten thousand men, chiefly infantry; lord Howard, son of the earl of Surrey; lord Broke, lord Ferrars, and many others of the young gentry and nobility, accompanied him in this service. All were on fire to distinguish themselves by military achievements, and to make a conquest of importance for their master. The secret purpose of Ferdinand was suspected by no body; but the following short narration will discover his deceit and treachery: the small kingdom of Navarre lies on the frontiers between France and Spain; and as John d'Albert, the sovereign, was connected by friendship and alliance with Lewis, the opportunity seemed favourable to Ferdinand, while the English forces were conjoined with his own, and while all adherents to the council of Pisa lay under the sentence of excommunication, to put himself in possession of these dominions. No sooner, therefore, was Dorset landed in Guipiscoa, than the Spanish monarch declared his readiness to join him with his forces, to make with united arms an invasion of France, and to form the siege of Bayonne, which opened the way into Guienne: but he remarked to the English general, how dangerous it might prove to leave behind them the kingdom of Navarre, which being in close alliance with France, could easily give admittance to the enemy, and cut off all communication between Spain and the combined armies. To provide against so dangerous an event, he required, that John should stipulate a neutrality in the present war; and when that prince expressed his willingness to enter into any engagement for that purpose, he also required, that security should be given for the strict observance of it. John having likewise agreed to this condition, Ferdinand demanded, that he should deliver into his hands six of the most considerable places of his dominions, together with his eldest son as a hostage. These were not terms to be proposed to a sovereign; and as the Spanish monarch expected a refusal, he gave immediate orders to the duke of Alva, his general, to make an invasion on Navarre, and to reduce that kingdom. Alva soon made himself master of all the smaller towns; and being ready to form the siege of Pampeluna, the capital, he summoned the marquis of Dorset to join him with the English army, and concert together all their operations. Dorset now began to suspect, that the interests of his master were very little regarded in all these transactions; and having no order to invade the kingdom of Navarre, or make war any where but in France, he refused to take any part in the enterprize. He remained therefore in his quarters at Fontarabia; but so subtle was the contrivance of Ferdinand, that, even while the English army lay in that situation, it was almost equally serviceable to his purpose, as if it had acted in conjunction with his own. It kept the French army in awe, and prevented it from advancing to succour the kingdom of Navarre; so that Alva, having full leisure to conduct the siege made himself master of Pampeluna, and obliged John to seek for shelter in France. The Spanish general applied again to Dorset, and proposed to conduct, with united council, the operations of the Holy League, for by that name it was called, against Lewis; but as he still declined forming the siege of Bayonne, and rather insisted on the invasion of the principality of Bearne, a part of the king of Navarre's dominions, which lies on the French side of the Pyrenees, Dorset, justly suspicious of his sinister intentions, represented, that, without new orders from his master, he could not concur in such an undertaking. In order to procure these orders, Ferdinand dispatched Martin de Ampios to London, and persuaded Henry, that, by the



the refractory and scrupulous humour of the English general, the most favourable opportunities were lost, and that it was necessary he should, on all occasions, act in concert with the Spanish commander, who was best acquainted with the situation of the country, and the reason of every operation. But before orders to this purpose reached Spain, Dorset had become extremely impatient; and observing that his farther stay served not to promote the main undertaking, and that his army was daily perishing by want and sickness, he demanded shipping from Ferdinand to transport them back into England. Ferdinand, who was bound by treaty to furnish him with this supply, whenever demanded, was at length, after many delays, obliged to yield to his importunity, and Dorset, embarking his troops, prepared himself for the voyage. Mean while, the messenger arrived with orders from Henry, that the troops should remain in Spain; but the soldiers were so discontented with the treatment which they had met with, that they mutinied, and obliged their commanders to set sail for England. Henry was much displeased with the ill success of this enterprize; and it was with difficulty that Dorset, by explaining the fraudulent conduct of Ferdinand, was at last able to appease him.\*

In the summer of this year there happened an action at sea, which brought not any more advantage to the English. Sir Thomas Knevet, master of horse, was sent to the coast of Brittany with a fleet of forty-five sail; and he carried with him Sir Charles Brandon, Sir John Carew, and many other young courtiers, who longed for an opportunity of displaying their valour. After they had committed some depredations, a French fleet of thirty-nine sail issued from Breit, under the command of Primauger, and began an engagement with the English. Fire seized the ship of Primauger, who, finding his destruction inevitable, bore down upon the vessel of the English admiral, and grappling with her, resolved to make her share his fate. Both fleets stood some time in suspense, as spectators of this dreadful engagement; and all men saw with horror the flames which consumed both vessels, and heard the cries of fury and despair, which came from the miserable combatants. At last, the French vessel blew up; and at the same time destroyed the English †. The rest of the French fleet made their escape into different harbours on the coast of France.

The hostilities which had been commenced by England against France, though it brought no advantage to the former kingdom, were of great prejudice to the latter; and by obliging Lewis to withdraw his forces for the defence of his own dominions, lost him that superiority, which his arms, in the beginning of the campaign, had attained in Italy. Gaston de Foix, his nephew, a young hero, had been entrusted with the command of the French forces; and in a few months performed such feats of military art and prowess, as were sufficient, says Guicciardin, to render illustrious the life of the oldest captain. His career finished with the battle of Ravenna, which, after the most obstinate conflict, he gained over the Spanish and papal armies. He perished at the time his victory was completed; and with him perished the fortune of the French arms in Italy. The Swiss, who had rendered themselves extremely formidable by their bands of disciplined infantry, invaded the Milanese with a numerous army, and exhorted the inhabitants to revolt against France. Genoa followed the example of Milan; and Lewis, in a few weeks, entirely lost his Italian conquests, except some garrisons; and Maximilian Sforza, the son of Ludovic, was reinstated in the possession of the last mentioned duchy.

Julius's joy on the discomfiture of the French, was visible to all Europe; and the more so, as he had been beholden for it to the Swiss, a people whose councils, he hoped, he should always be able to influence and govern. The pontiff, however, did not long survive this success; and in his place was chosen John de Medicis, on the 21st of February, 1513, who took the appellation of Leo X. and proved one of the most illustrious ‡ princes that ever sat on the papal throne. By the negotiations of Leo, the emperor Maximilian was detached from the French interest; and Henry, notwithstanding his disappointments in the former campaign, was still encouraged to prosecute his warlike measures against the French king.

Henry having previously summoned a new parliament on the 14th of November, 1512, obtained the grant of a poll-tax, and imposed different sums, according to the station and riches of the persons. A duke paid ten marks, an earl five pounds, a baron four pounds, a knight four marks; every man valued at eight hundred pounds in goods, four marks. An imposition was also granted of two fifteenths and four tenths. By these supplies, joined to the treasure which had been left by his father, and which was not yet entirely dissipated, he was enabled to levy a great army, and render himself formidable to his enemy. The English are said to have been much encouraged in this enterprize, by the arrival of a vessel in the Thames under the papal banner. It carried presents of wine and ham to the king, and the more eminent courtiers; and such fond devotion was at that time entertained towards the court of Rome, that these trivial presents were every where received with the greatest marks of respect and joy.

In order to prevent any invasion from Scotland, while Henry's arms should be employed in the continental war, Dr. West, dean of Windsor, was dispatched on an embassy to James the king's brother-in-law; with instructions to accommodate all differences between the kingdoms, as well as to discover the intentions of the Scottish court. Some complaints had already been made on both sides. One Barton, a Scotchman, having suffered injuries from the Portuguese, for which he could obtain no redress, had procured letters of marque against that nation; but he had no sooner put to sea, than he was guilty of the grossest abuses, committed depredations upon the English, and much infested the narrow seas §. Lord Howard and Sir Edward Howard, admirals, and sons of the earl of Surrey, sailing out in quest of the maulrauder, engaged him; the pirate was killed; and they brought the ships into the Thames. As Henry refused all satisfaction for this act of justice, some of the borderers, who wanted but a pretence for depredations, entered England under the command of lord Hume, warden of the marches, and committed great ravages on that kingdom. Notwithstanding these mutual grounds of dissatisfaction, matters might easily have been accommodated, had it not been for Henry's intended invasion of France, which roused the jealousy of the Scottish nation ||. The ancient league which subsisted between France and Scotland, was conceived to be the strongest band of connection; and the Scots imagined that, were it not for the countenance which they received from his foreign alliance, they had never been able to maintain their independence against a people so much superior in arms and warlike achievements. James was farther incited to take part in the quarrel by the invitations of Anne, queen of France. The remonstrances of his wisest counsellors were in vain opposed to the martial ardour of this prince. He first

\* See Hume.

† Polydore Vergil, lib. 27. Stowe, p. 490. Lanquet's Epitome of Chronicles, fol. 279.

‡ "He was," says Hume, "humane, beneficent, generous, affable; the patron of every art, and friend of every virtue; he had a soul no less capable of forming great designs than his predecessor, but was more gentle, pliant, and artful in execution." No. XXXVI.

playing means for the execution of them. The sole defect, indeed of his character, was too great finess and artifice; a fault which, both as a priest and an Italian, it was difficult for him to avoid."

§ Stowe, p. 489. Hollingshed, p. 811.

|| Buchanan, lib. XIII. Drummond in the Life of James IV.



sent a squadron of ships to the assistance of France\*; and though he still made professions of maintaining a neutrality, the English ambassadors easily perceived that a war would in the end prove inevitable: and he gave warning of the danger to his master, who sent the earl of Surrey to put the northern parts of the kingdom in a posture of defence, and to resist the invasion which was expected from that quarter. Henry was little discouraged by this appearance of a diversion from the north; and so much the less, as he flattered himself with the assistance of all the considerable potentates of Europe in his invasion of France. The pope still continued to thunder out his excommunications against Lewis, and all the adherents of the schismatical council: the Swiss Cantons made professions of violent animosity against France: the ambassadors of Ferdinand and Maximilian had signed with those of Henry a treaty of alliance against that power, and had stipulated the time and place of their intended invasion: and though Ferdinand disavowed his ambassador, and even signed a truce for a twelvemonth with the common enemy; Henry was not yet fully convinced of his selfish and sinister intentions, and still hoped for his concurrence after the expiration of that term. He had now got a minister who complied with all his inclinations, and flattered him in every scheme to which his impetuous temper was inclined. This was Thomas Wolsey, dean of Lincoln, and almoner to the king. He surpassed in favour all Henry's ministers, and was fast advancing towards that unrivalled grandeur which he afterwards attained†.

The branch of administration in which Henry most exerted himself, while he gave his entire confidence to

Wolsey, was the military; which, as it suited the natural gallantry and bravery of his temper, as well as the ardour of his youth, was the principal object of his attention. Finding that Lewis had made great preparations both by sea and land to resist him, he levied a formidable army, and equipped a considerable fleet for the invasion of France. The command of the fleet was intrusted to Sir Edward Howard; who, after scouring the Channel for some time, presented himself before Brest, where the French navy then lay; and he challenged them to a combat. The French admiral, who expected from the Mediterranean a reinforcement of some galleys, kept within the harbour, and saw with patience the English burn and destroy the country in the neighbourhood. At last six galleys arrived under the command of Prejeant de Bidoux, and put into Conquest, a place within a few leagues of Brest, where he secured himself behind some batteries, which he had planted on rocks that lay on each side of him, Howard was, notwithstanding, determined to attack him; and as he had but two galleys, he took himself the command of one, and gave the other to lord Ferrars. He was followed by some row-barges and some crayers under the command of Sir Thomas Cheyney, Sir William Sidney, and other officers of distinction. He immediately fastened on Prejeant's ship, and leaped on board of her, attended by one Carroz, a Spanish cavalier, and seventeen Englishmen. The cable mean while, which fastened his ship to that of the enemy, being cut, the admiral was thus left in the hands of the French; and as he still continued the combat with great gallantry, he was pushed overboard by their pikes‡. Lord Ferrars,

\* This, says Hume, is the only fleet which Scotland seems ever to have possessed.

† This man, says Hume, was son of a butcher at Ipswich; but having got a learned education, and being endowed with an excellent capacity, he was admitted into the marquis of Dorset's family as tutor to that nobleman's children, and soon gained the friendship and countenance of his patron. He was recommended to be chaplain to Henry VII. and being employed by that monarch in a secret negotiation, which regarded his intended marriage with Margaret of Savoy, Maximilian's daughter, he acquitted himself to the king's satisfaction, and obtained the praise both of diligence and dexterity in his conduct. That prince, having given him a commission to Maximilian, who at that time resided in Brussels, was surprized in less than three days after, to see Wolsey present himself before him; and supposing that he had protracted his departure, he began to reprove him for the dilatory execution of his orders. Wolsey informed him, that he had just returned from Brussels, and had successfully fulfilled all his majesty's commands. "But on second thoughts," said the king, "I found that somewhat was omitted in your orders; and have sent a messenger after you with fuller instructions." "I met the messenger," replied Wolsey, "on my return: but as I had reflected on that omission, I ventured myself to execute what, I knew, must be your majesty's intentions." The death of Henry, soon after this incident, retarded the advancement of Wolsey, and prevented his reaping any advantage from the good opinion which that monarch had entertained of him: but thenceforward he was looked on at court as a rising man; and Fox, bishop of Winchester, cast his eye upon him as one who might be serviceable to him in his present situation. This prelate, observing that the earl of Surrey had totally eclipsed him in favour, resolved to introduce Wolsey to the young prince's familiarity, and hoped that he might rival Surrey in his insinuating arts, and yet be contented to act in the cabinet apart subordinate to Fox himself, who had promoted him. In a little time Wolsey gained so much on the king, that he supplanted both Surrey in his favours, and Fox in his trust and confidence. Being admitted to Henry's parties of pleasure, he took the lead in every jovial conversation, and promoted all that frolic and entertainment which he found suitable to the age and inclination of the young monarch. Neither his own years, which were near forty, nor his character of a clergyman, were any restraint upon him, or engaged him to check, by any useless severity, the gaiety, in which Henry, who had small propension to debauchery, passed his careless hours. During the intervals of amusement he introduced business, and insinuated those maxims of conduct which he was desirous his master should adopt. He observed to him, that while he entrusted his affairs into the hands of his father's counsellors, he

had the advantage indeed of employing men of wisdom and experience, but men who owed not their promotion to his favour, and who scarcely thought themselves accountable to him for the exercise of their authority: that by the factions, cabals, and jealousies, which had long prevailed among them, they more obstructed the advancement of his affairs, than they promoted it by the knowledge which age and practice had conferred upon them: that while he thought proper to pass his time in those pleasures, to which his age and royal fortune invited him, and in the studies, which would in time enable him to sway the sceptre with absolute authority, his best system of government would be to entrust his authority into the hands of some one person, who was the creature of his will, and who could entertain no view but that of promoting his service: and that if this minister had also the same relish for pleasure with himself, and the same taste of science, he could more easily, at intervals, account to him for his whole conduct, and introduce his master gradually into the knowledge of public business; and thus, without tedious constraint of application, initiate him in the science of government. Henry entered into all the views of Wolsey; and finding no one so capable of executing this plan of administration as the person who proposed it, he soon advanced his favourite, from being the companion of his pleasures, to be a member of his council; and from being a member of his council, to be his sole and absolute minister. By this rapid advancement and uncontrolled authority, the character and genius of Wolsey had full opportunity to display itself. Insatiable in his acquisitions, but still more magnificent in his expence: of extensive capacity, but still more unbounded enterprize: ambitious of power, but still more desirous of glory: insinuating, engaging, persuasive; and by turns, lofty, elevated, commanding: haughty to his equals, but affable to his dependants; oppressive to his people, but liberal to his friends; more generous than grateful; less moved by injuries than by contempt; he was framed to take the ascendant in every intercourse with others, but exerted this superiority of nature with such ostentation, as exposed him to envy, and made every one willing to reveal the original inferiority, or rather meanness of his fortune. As the principal transactions of Wolsey's life will be interspersed in the following pages of this reign, we shall not anticipate the reader's pleasure, by inserting in this place, what must of necessity be put in other parts.

‡ It was a maxim of Howard's, that no admiral was good for anything, that was not even brave to a degree of madness. As the sea-service requires much less plan and contrivance and capacity than the land. This maxim had great plausibility and appearance of truth: though the fate of Howard himself may serve as a proof, that even their courage ought to be tempered with discretion.



seeing the admiral's galley fall off, followed with the other small vessels; and the whole fleet was so discouraged by the loss of their commander, that they retired from before Brest\*. The French navy came out of harbour; and even ventured to invade the coast of Sussex. They were repulsed, and Prejeant, their commander, lost an eye by the shot of an arrow. Lord Howard, brother to the deceased admiral, succeeded to the command of the English fleet. Great preparations had been making at land during the whole winter, for an invasion on France by the way of Calais; but the summer was well advanced before every thing was in sufficient readiness for the intended enterprize. A considerable part of the forces, which Henry levied for this expedition, consisted of archers; and the vanguard of the army amounting to eight thousand men, under the command of the earl of Shrewsbury, sailed over to Calais. Shrewsbury was accompanied by the earl of Derby, the lords Fitzwalter, Hastings, Cobham, and Sir Rice ap-Thomas, captain of the Light horse. Another body of six thousand men soon after followed under the command of lord Herbert the chamberlain, attended by the earls of Northumberland and Kent, the lords Audley and Delawar, together with Carew, Curson, and other gentlemen. The king himself prepared to follow with the main body and rear of the army; and he appointed the queen regent of the kingdom during his absence. That he might secure her administration from all disturbance, he ordered Edmund de la Pole, earl of Suffolk, to be beheaded in the Tower on the 30th of April†. Henry was led to commit this act of violence by the dying commands, as is imagined, of his father, who told him, that he never would be free from danger, while a man of so turbulent a disposition as Suffolk was alive. And as Richard de la Pole, brother of Suffolk, had accepted of a command in the French service, and foolishly attempted to revive the York faction, and to instigate them against the present government, he probably, by that means, drew more suddenly the king's vengeance on this unhappy nobleman. At last Henry, attended by the duke of Buckingham, and many others of the nobility, arrived at Calais, on the 30th of June, and entered upon his French expedition, from which he fondly expected so much success and glory. Of all those allies on whose assistance he relied, the Swiss alone fully performed their engagements. The emperor Maximilian appeared in the Low Countries, and joined the English army with some German and Flemish soldiers, who were useful in giving an example of discipline to Henry's new levied forces. Observing the disposition of the English monarch to be more bent on glory than on interest, he enlisted himself in his service, wore the cross of St. George, and received pay, (a hundred crowns a-day,) as one of his subjects and captains. But while he exhibited this extraordinary spectacle, of an emperor of Germany serving under a king of England, he was treated with the highest respect by Henry, and directed all the operations of the English army.

Some time before Henry and Maximilian arrived in the camp, the earl of Shrewsbury and lord Herbert had formed the siege of Teroüane, a town situated, on the frontiers of Picardy; and they began to attack the place with vigour. Teligni and Crequi commanded in the town, and had a garrison not exceeding two thousand men; yet made they such stout resistance, as protracted the siege a month; and they at last found themselves more in danger from want of provisions and ammunition, than from the assaults of the besiegers. Having conveyed intelligence of their situation to Lewis,

who had advanced to Amiens with his army, that prince gave orders to throw relief into the place. Fonttrilles appeared at the head of eight hundred horsemen, each of whom carried a sack of gunpowder behind him; and two quarters of bacon. With this small force he made a sudden and unexpected irruption into the English camp, and, overcoming all difficulties, advanced to the fosse of the town; where each horseman threw down his burden. They immediately returned on the gallop, and were so fortunate as again to break through the English, and to suffer little or no loss‡. This circumstance happened on the 16th of August.

The English, however, had, soon after, full revenge for the insult. Henry had received intelligence of the approach of the French horse, who had advanced to protect another incursion of Fonttrilles; and he commanded some troops to pass the Lis, in order to oppose them. The cavalry of France were, on sight of the enemy, seized with so unaccountable a panic, that they immediately took to flight, and were pursued by the English§. The duke of Longueville, who commanded the French, Bussi d'Amboise, Clermont, Imbercourt, the chevalier Bayard, and many other officers of distinction, were made prisoners||. This action, or rather route, is sometimes called the battle of Guinegate, from the place where it was fought: the French, that day, made more use of their spurs, than of their swords and other instruments of war. After this considerable advantage, the king, who was at the head of a complete army of above fifty thousand men, returned to the siege of Teroüane. The governors were obliged, soon after, to capitulate; and Henry found his acquisition of so little moment, though gained at the expence of much blood, and of much valuable time, that he immediately demolished the fortifications. The anxieties of the French were again revived with regard to the motions of the English. The Swiss, at the same time, had entered Burgundy with a formidable army, and laid siege to Dijon, which was in no condition to resist them: and Ferdinand himself, though he had made a truce with Lewis, seemed disposed to lay hold of every advantage which fortune should present to him. But Lewis was extricated from his present difficulties by the egregious blunders of his enemies. The Swiss allowed themselves to be seduced in a negociation by Tremoille, governor of Burgundy; and, without making inquiry whether that nobleman had any powers to treat, they accepted of the conditions which he offered them. Tremoille, who knew that he should be disavowed by his master, stipulated whatever they were pleased to demand; and thought himself happy, at the expence of payments and very large promises, to get rid of so formidable an enemy\*\*. The measures of Henry shewed equal ignorance in the art of war, with that of the Swiss in negociation. Tournay, within the Frontiers of Flanders, belonged to France, and afforded the troops of that kingdom a passage into the heart of the Netherlands. Maximilian, who was desirous of freeing his grandson from so troublesome a neighbour, advised Henry to lay siege to the place; and the English monarch, not considering that such an acquisition no wise advanced his conquests in France, imprudently followed this interested counsel. The city of Tournay, by its ancient charters, being exempted from the burden of a garrison, the burghers, against the remonstrances of their sovereign, strenuously insisted on maintaining this dangerous privilege; and they engaged, by themselves, to make a vigorous defence against the enemy. Their courage failed them; matters came to a trial; and after a few days siege, the place was surrendered to the

\* Herbert, Hollingshed, p. 816.

† Henry had been attainted and imprisoned during

‡ It is remarkable, that these very cavalry had before been

§ created the greatest courage in many desperate actions in

§ Hist. de Chev. Bayard, ch. LVII. Memoires de Bellai.

|| Memoires de Bellai, liv. I. Polydore Virgil, liv. XXVII. Hollingshed, p. 822. Herbert

\*\* Memoires du Marechal de Fleuranges, Bellarius lib. xiv.



English, on the 24th of September\*. The bishop of Tournay was lately dead; and, as a new bishop was already elected by the chapter, but not installed in his office, the king bestowed the administration of the see on his favourite Wolsey, and put him in immediate possession of the revenues, which were considerable†. Soon after this Henry returned to England: and carried the greater part of his army with him. Success had attended Henry in every enterprize; and his youthful mind was much elated with this seeming prosperity; but all men of judgment, comparing the advantages of his situation with his progress, and his expense with his acquisitions, were convinced that this campaign, so much vaunted, was not only ruinous, but inglorious to that monarch.

The success which had attended Henry's arms in the north, was much more decisive. The king of Scotland had assembled the whole force of his kingdom; and having passed the Tweed with an army of above fifty thousand men, he ravaged those parts of Northumberland which lay nearest that river, and he employed himself in taking the castles of Norham, Eral, Werke, Ford, and other places of no great importance. Lady Ford being taken prisoner in her castle, was presented to James, and so gained on the affections of the prince, that he wasted in pleasure the critical time which, during the absence of the enemy, he should have employed in pushing his conquests. His troops lying in a barren country, where they soon consumed all the provisions, began to be pinched with hunger; and, as the authority of the prince was feeble, and military discipline, during that age, extremely relaxed, many of them had stolen from the camp, and retired homewards. Mean while the earl of Surrey, having collected a force of twenty-six thousand men, of which five thousand had been sent over from the king's army in France, marched to the defence of the country, and approached the Scots, who lay on some high ground near the Cheviot hills. The river Till ran between the armies, and prevented an engagement: Surrey, therefore, sent a herald to the Scottish camp, challenging the enemy to descend into the plain of Milfield, which lay towards the south; and there, appointing a day for the combat, to try their valour on equal ground. Receiving no satisfactory answer, he made a feint of marching towards Berwick; as if he intended to enter Scotland, to lay waste the borders, and cut off the provisions of the enemy. The Scottish army now put themselves in motion; and having set fire to the huts in which they had quartered, they descended from the hills. Surrey, taking advantage of the smoke which was blown towards him, and which concealed his movements, passed the Till with his artillery and vanguard to the bridge of Twisel, and sent the rest of his army to seek a ford at another part of the river. An engagement was now become inevitable, and both sides prepared for it with tranquility and order, on the 9th of September. The English divided their army into two lines: lord Howard led the main body of the first line, Sir Edmund Howard the right wing, Sir Marmaduke Constable the left. The earl of Surrey, himself, commanded the main body of the second line, lord Dacres the right wing, Sir Edward Stanley the left. The front of the Scots presented three divisions to the enemy: the middle was led by the king himself: the right by the earl of Huntley, assisted by lord Hume: the left by the earls of Lenox and Argyle. A fourth division, under the earl of Bothwell,

made a body of reserve. Huntley began the battle, and after a sharp conflict put to flight the left wing of the English, and chased them off the field: but, on returning from the pursuit, he found the whole Scottish army in great disorder. The division under Lenox and Argyle, elated with the success of the other wing, had broken their ranks, and, notwithstanding the remonstrances and entreaties of La Motte, the French ambassador, had rushed headlong upon the enemy. Not only Sir Edward Howard, at the head of his division, received them with great valour; but Dacres, who commanded in the second line, wheeling about during the action, fell upon their rear, and put them to the sword without resistance. The division under James, and that under Bothwell, animated by the valour of their leaders, still made head against the English, and, throwing themselves into a circle, protracted the action, till night separated the combatants. The victory seemed yet undecided, and the numbers that fell on each side were nearly equal, amounting to about five thousand men: but the morning discovered where the advantage lay. The English had lost only persons of small note; but the flower of the Scottish nobility had fallen in battle, and their king himself, after the most diligent inquiry, could no where be found. In searching the field, the English met with a dead body which resembled him, and was arrayed in a similar habit; and they put it in a leaden coffin and sent it to London‡. The Scots, however, still asserted that it was not James's body which was found on the field of battle, but that of one Elphinstone, who had been arrayed in arms resembling their king's, in order to divide the attention of the English, and share the danger with his master. It was believed that James had been seen crossing the Tweed at Kelso; and some imagined, that he had been killed by the vassals of lord Hume, whom that nobleman had intigated to commit so enormous a crime. The populace, however, entertained the opinion that he was still alive, and, having secretly gone in pilgrimage to the Holy Land, would soon return and take possession of the throne. This fond conceit was long entertained among the Scots. The king of Scotland and most of his chief nobles being slain in the field of Flouden, (so this battle was called,) an inviting opportunity was offered to Henry of gaining advantages over that kingdom, perhaps of reducing it to subjection. But Henry discovered, on this occasion, a mind truly great and generous. When the queen of Scotland, Margaret, who was created regent during the infancy of her son, applied for peace, he readily granted it, and took compassion of the helpless condition of his sister and nephew. The earl of Surrey, who had gained him so great a victory, was restored, in 1514, to the title of duke of Norfolk, which had been forfeited by his father, for engaging on the side of Richard III. Lord Howard was honoured with the title of earl of Surrey; Sir Charles Brandon, the king's favourite, whom he had before created viscount Lisle, was now raised to the dignity of duke of Suffolk. Wolsey, who was both his favourite and his minister, was created bishop of Lincoln. Lord Herbert obtained the title of earl of Worcester; Sir Edward Stanley that of lord Monteagle.

The peace which was settled with Scotland gave Henry security on that side, and enabled him to prosecute his enterprize against France, yet some other incidents had happened, which more than counterbalanced this fortunate event, and served to open his eyes with

\* Tournay is a handsome and a considerable town of Flanders, in the Austrian Netherlands. It is now defended by a strong castle, is a large trading place, has several fine manufactories, and is particularly famous for good stockings. The cathedral church, and the abbey of St. Martin, are very magnificent. It was taken by the Allies in 1709, but ceded to the House of Austria by the treaty of Utrecht: though the Dutch put in a garrison, as being one of the barrier towns. It was taken by the French in 1745. It is thirty miles S. W. of

Ghent, and one hundred and thirty-five N. by E. of Paris.

† See Strype's Memorials, vol. 1. p. 5. 6.

‡ During some time it was kept unburied; because James died under sentence of excommunication, on account of his confederacy with France, and his opposition to the holy see: but, upon Henry's application, who pretended that this prince had, in the instant before his death, discovered signs of repentance, absolution was given him, and his body was interred.



regard to the rashness of an undertaking into which his youth had betrayed him. Lewis was now resolved to break the confederacy of his enemies, and to prevent the return of such ravages as were committed during the last campaign. The pope was no wise disposed to push the French to extremity; and, provided they did not return to take possession of Milan, his interests rather led him to preserve the balance among the contending parties. He accepted, therefore, of Lewis's offer to renounce the council of Lyons; and he took off the excommunication which his predecessors and himself had fulminated against the king and his kingdom. Ferdinand, now fast inclined in years, readily hearkened to the proposals of Lewis for prolonging the truce another year, and even shewed an inclination of forming a more intimate connection with that monarch. Lewis had hinted, that he intended to marry his second daughter Renée, either to Charles, prince of Spain; or his brother Ferdinand, both of them grandsons of the Spanish monarch, and he declared his resolution of bestowing on her, as her portion, his claim to the duchy of Milan. Ferdinand gladly embraced these proposals; and engaged the emperor Maximilian, in the same views. He also procured the accession of that monarch to a treaty, which opened so inviting a prospect of aggrandizing their common grand-children.

Henry, upon receiving information of Ferdinand's renewal of the truce with Lewis, became greatly enraged, and complained, that his father-in-law had first engaged him in enmity with France, and afterwards, without giving him the least warning, had sacrificed his interests to his own selfish purposes, and had left him exposed to all the danger and expence of the war. In proportion to his easy credulity, and his unsuspecting reliance on Ferdinand, was the vehemence with which he exclaimed against the treatment that he met with; and he threatened revenge for this breach of faith; and when he was informed of the negotiation by which Maximilian was also seduced from his alliance, and in which proposals had been agreed to, for the marriage of the prince of Spain with the daughter of France. Charles, during the life time of the late king, had been affianced to Mary, Henry's younger sister; and, as the

prince now approached the age of puberty, the king had expected the immediate completion of the marriage, and the honourable settlement of a sister, for whom he had entertained a tender affection.

The duke of Longueville, who had been made prisoner at the battle of Guinegate, and who was still detained in England, was ready to take advantage of all these dispositions of Henry, in order to procure a peace, and even an alliance, which he knew to be passionately desired by his master. He represented to the king, that Anne, queen of France, being lately dead, a door was thereby opened for an affinity which might tend to the advantage of both kingdoms, and which would serve to terminate honourably all the differences between them; that she had left Lewis no male children, and as he had ever entertained a strong desire of having heirs to the crown, no marriage seemed more suitable to him than that with the princess of England, whose youth and beauty afforded the most flattering hopes in that particular: that, though the marriage of a princess of sixteen, with a king of fifty-three, might seem unsuitable, yet the other advantages attending the alliance were more than a sufficient compensation for this inequality: and that Henry, in loosening his connections with Spain, from which he had never reaped any advantage, would contract a close affinity with Lewis, a prince who, through his whole life, had invariably entertained the character of probity and honour. As Henry listened very attentively to this discourse, Longueville acquainted his master of the probability of bringing the matter to a happy conclusion; and he received full powers for negotiating the treaty. But notwithstanding the great attention which Henry seemed to pay to the duke of Longueville's conversation, he thought it absolutely necessary to confer with his favourite Wolsey\*. Commissioners being appointed between the two kings, the articles of treaty were speedily drawn up, and were signed on the 7th of August following. There were three separate treaties. The first concerned only the renewing of the alliance between France and England. The second was about the marriage of the princess Mary with Lewis XII. The third related to the payment of a million of crowns†.

Pursuant

\* The following is an exact copy of the letter which Henry sent to the bishop of Lincoln on this subject:

"My lord of Lynkeoln I recomende me unto yow. And lette yow wyte that I have spokyne with the duke; whyche in the begynnynge was as yll afraid as ever he was in his lyffe, lest no good effecte shulde comme to pas. Nevertheless, in farther communynge, we went more rondly to oure matters; in so moche that I sayde to hym, seinge that the king your master hath sought so gently unto us for bothe amyte and marriage, I assure yow (oure honour savyd) we colde be well content to gyfte her kyne thereto, and yff the offers wer resonable, agre upon this same; this be not resonable, excepte the amyte shulde no longer continu then the payment of money: and yett nat so, except there wer a resonable summe of money to be payed in handes by and by.

"If hys master wyll have the mariage, I can nat see how it can be conveniently, excepte the amyte be made duryng our lyffes and an yer assier, to the intende that all suspycyon off both sides may be sett apart:

"Whyche marriage and amyte your master may have under this maner; that is to say, paynge erly an hundred thousand crownes, and att hys request I nat to styke for no redy money in hande, but I to stande contente therewith for recompense off all thynges.

"Whyche yff your master considere what herytaunce he holdyth from me, and what good my amyte may do to help forth his mater in Italy I think he wyll nat grettly styke at:

"Thus further more I sayde to the duke, surly I can nat see how the amyte made for yers can any longer indure than the payment, whyche exsperyde shulde be occasion off new breche and demans, whereby noder he nor we shoud lyff quietly, whyche, yff ther fall aliance, I wolde be lothe to see; wherfor I see no way to escheve all dangers and parrayles, and to recompense me for with-holdyng off myne inheritance (whyche yff I wolde be stake in, my subjectes wolde murmur at) but to make this amyte duryng oure lyffs and an yer assier, paynge yett as above rehersed; whyche amyte wons grantyd, the aliance shulde nat be refusyde, nor no other thyng whyche

No. XXXVI.

with my honour savyd I might do:

"Saying forther more to hym that, yff I myght demande with my honour any lesse, or take any lesse offer (seying hys master is so well mynded to the forsaide aliance and amyte) I wolde be glad to do that at hys request; but less then this hit can nott stonde with my honour, nor my subjectes wyll nat be content that I shulde take.

"My lord, I thuyd him forthermore that, yff he thocht we myght trust to have this ende, I wolde be content that yow and they shulde commune on all other artyccylles, concernyng the amyte and marriage, tyll we myght have absolute assurance in that behalf for lysyng of time:

"To whyche he answerde, that he colde nat assure me thereof; but that he trustyde, seying my demans wer so resonable, that hys master wolde agre therto.

"On trust hereon we woll that you begyne to penne the residue off the artyccylles as soon as yow can.

"And thus fare you well."

Wrytten with the hande of your loving master.

HENRY R.

Though this letter has no date, we may by several circumstances conjecture it was written in June, 1514.

† As these treaties served for foundation to many others hereafter concluded, it is necessary to insert the substance of them, at least with respect to the most material articles:

1. *Treaty of Peace and Amity between Lewis XII. and Henry VIII. concluded at London, August 7, 1514.*

That the amity between the two kings should last till a year after one of their deaths. That the successor of him that died first, should give notice within the year to the other, whether he would prolong this or make a new treaty. That all impositions laid, since fifty-two years last past, by one king on the subjects on the other, should be abolished. That the peace should not be deemed violated by the outrages which should be committed on either side. That neither of the two kings should afford protection or refuge to the rebels of the other. By the 14th, 15th, and 16th articles, the two kings bound themselves



Pursuant to the declaration of this treaty, Mary was sent to France with a splendid retinue, and Lewis met her at Abbeville, where the espousals were celebrated on the 9th of October. He was enchanted with the beauty, grace, and numerous accomplishments of the young princess; and being naturally of an amorous disposition, which his advanced age had not entirely cooled, he was seduced into such a course of gaiety and pleasure, as proved very unsuitable to his declining state of health. He died in less than three months after the marriage on the 4th of January, 1515, to the extreme regret of the French nation, who, sensible of his tender concern for their welfare, gave him, with one voice, the honourable appellation of "Father of his people." Francis, duke of Angoulême, a youth of one and twenty, who had married Lewis's eldest daughter, succeeded him to the throne; and, by his activity, valour, generosity, and other virtues, gave prognostics of a happy and glorious reign. This young monarch had been extremely struck with the charms of the English princess; and, even during his predecessor's life-time, had paid her such assiduous court, as made some of his friends apprehend, that he had entertained views of gallantry towards her. But being warned that, by indulging his passion, he might probably exclude himself from the throne, he forebore all farther addresses; and even watched the young dowager with a very careful eye during the first months of her widowhood. Charles Brandon, duke of Suffolk, was then in the court of France, the most comely personage of his time, and the most accomplished in all the exercises which were then thought to besit a courtier and a soldier. He was Henry's chief favourite; and that monarch had even once entertained thoughts of marrying him to his sister, and had given indulgence of the mutual passion which took place between them. The queen asked Suffolk, whether he

had now the courage, without farther reflection, to espouse her? And she told him, that her brother would more easily forgive him for not asking his consent, than for acting contrary to his orders. Suffolk declined not so inviting an offer; and their nuptials were secretly celebrated at Paris. Francis, who was pleased with this marriage, as it prevented Henry from forming any powerful alliance by means of his sister, interposed his good offices in appeasing him: and even Wolsey, having entertained no jealousy of Suffolk, who was content to participate in the king's pleasures, and had no ambition to engage in public business, was active in reconciling the king to his sister and brother-in-law; and he obtained them permission to return to England\*.

Wolsey by his sudden elevation, his aspiring character, and his haughty deportment, had raised himself many enemies; but this served only to rivet him faster in Henry's confidence; who valued himself on supporting the choice which he had made, and who was incapable of yielding either to the murmurs of the people, or to the discontents of the great. That artful prelate likewise, well acquainted with the king's imperious temper, concealed from him the absolute ascendancy which he had acquired; and while he secretly directed all public councils, he ever pretended a blind submission to the will and authority of his master. By entering into the king's pleasures he preserved his affection; by conducting his business, he gratified his indolence; and by his unlimited complaisance in both capacities, he prevented all that jealousy to which his exorbitant acquisitions, and his splendid ostentations train of life, should naturally have given birth. About this time the archbishopric of York became vacant by the death of Bambridge; and Wolsey, resigning the bishopric of Lincoln, was promoted to that see†.

By reason of the cardinal's haughty behaviour, William

themselves to mutual assistance in three cases: 1. For defence of one another's dominions: 2. For recovery of the territories withheld by other princes: 3. In case one of the two kings should be attacked on the score of the present treaty, provided he gave his word and honour that it was upon that account. In each of these cases the conditions were different. In the first case, Lewis was to furnish one thousand lances by land, and five thousand men by sea, with convenient shipping; and Henry ten thousand archers by land, and five thousand men at sea, with shipping. In the second, Lewis was to lend Henry six hundred lances only, and Henry him but five thousand archers, with the same sea-forces on both sides, as before-mentioned. In the third, one was to aid the other at his charge that was invaded. But in the last case they promised mutual aid, though the assailant should be relation, friend, or ally of one or both. Lewis included in the treaty, as his allies, the pope, the Swiss, and the king of Scotland. On Henry's part were named the pope, Bologna, all the towns of the patrimony of St. Peter, the archduke of Austria and the Swiss. Scotland was not included in the treaty, but on condition that the Scots should commit no hostilities against England after the 25th of November. That the treaty should be ratified and sworn to by the two kings, and confirmed by the parliament of England, and the states-general of France. That each of the two kings should use his endeavour to obtain of the pope a sentence of excommunication against him (of the two) that should violate the peace.

#### 2. Treaty about the Marriage of Lewis XII. with the Princess Mary.

That matrimony should be contracted by proxies, and *per verba de presenti*, within ten days after the date of this treaty. That the king of England should convey at his own charge, the princess his sister to Abbeville, where within four days after his arrival the king of France should solemnly marry her. That Mary should have in dower four hundred thousand crowns, two hundred thousand whereof should be reckoned for jewels, &c. and that in case of recovery, Lewis should be obliged to restore the jewels, &c. which should be valued at the sum of two hundred thousand crowns. That the other half, amounting to two hundred thousand crowns, Henry should pay by deducting the said sum out of the million the king of France was bound to pay by a former treaty. That the future queen's jointure should be assigned to Anne of Brittany, &c. That in case of Lewis's death,

Mary should enjoy her dowry and jointure during her life, whether she resided in France or England.

#### 3. Treaty for the Payment of a Million of Crowns.

By this treaty Lewis XII. acknowledged, that by the treaty of Estaples, Charles VIII. was bound to pay Henry VII. or his successors, the sum of seven hundred and forty-five thousand crowns, and that himself was obliged to pay the arrears of the said sum. Moreover, that Charles, duke of Orleans, his father, by an obligation dated March the 7th, 1444, had owned himself debtor in a certain sum to Margaret of Somerset, grandmother of Henry VIII. That these two sums not being yet paid, Lewis bound himself to pay to the king of England, or his successors, a million of crowns, as well for the arrears of the said two sums, as on account of the good affection he bore him, and to the end their amity might be the more lasting. That the payment of this million should be made by Lewis, paying to the king of England twenty thousand livres Tournois every six months, till the whole debt was discharged.

Thus the war, which had been taken in hand on pretence of religion, and for the glory of God, ended in a treaty, wherein there is no mention either of religion, or of the church.

\* Vid. Petrus de Angleria, Epist. 544; also Hume, ch. xxvii.

† Besides enjoying the administration of Tournay, he got possession, on easy leases, of the revenues of Bath, Worcester, and Hereford, bishoprics filled by Italians, who were allowed to reside abroad, and who were glad to compound for this indulgence, by yielding a considerable share of their income. He held in *commendam*, the abbey of St. Alban's, and many other church preferments. He was even allowed to unite with the see of York, first that of Durham, next that of Winchester; and there seemed to be no end of his acquisitions. His father's advancement in ecclesiastical dignity, served him as a pretence for engrossing still more revenues: the pope, observing his great influence over the king, was desirous of engaging him in his interests, and created him a cardinal. No churchman, under colour of exacting respect to religion, ever carried to a greater height the state and dignity of that character. His train consisted of eight hundred servants, of whom many were knights and gentlemen: some even of the nobility put their children into his family, as a place of education; and in order to gain them favour with their patron, allowed them to bear offices as his servants. Whoever was distinguished by any art or science paid court to the cardinal; and none paid court



William Warham, archbishop of Canterbury and chancellor, resigned his office of chancellor; and the great seal was immediately delivered to Wolsey. Notwithstanding this new accumulation of dignity increased his enemies, a strict administration of justice took place during his enjoyment of the chancellorship; and no one in that high office ever discovered greater impartiality in his decisions, deeper penetration of judgment, or more enlarged knowledge of law and equity. The duke of Norfolk likewise finding the king's money almost exhausted by profits and pleasures, while his inclination for expence still continued, resigned his office of treasurer, and retired from court. Fox, bishop of Winchester, withdrew himself wholly to the care of his diocese. These incidents left Wolsey to enjoy without a rival, the whole power and favour of the king; and they put into his hands every kind of authority. In vain did Fox, before his retirement, warn the king, "not to suffer the servant to be greater than his master:" Henry replied, "that he well knew how to retain all his subjects in obedience;" but he continued still an unlimited deference in every thing to the directions and counsels of Wolsey. Tranquillity was now well established in England, the obedience of the people was entire, the general administration of justice by the cardinal's means was exact, and no domestic occurrence happened considerable enough to disturb the repose of the king and his minister.

The late king of Scotland left his widow regent of the kingdom, and the vote of the convention of states, which confirmed that destination, had expressly limited her authority to the condition of her remaining unmarried; but notwithstanding this limitation, a few months after her husband's death, she espoused the earl of Angus, of the name of Douglas, a young nobleman of great family and promising hopes. Some of the nobility now proposed the election of Angus to the regency, and recommended this choice as the most likely means of preserving peace with England: but the jealousy of the great families, and the fear of exalting the Douglasses, begat opposition to the measure. Lord Hume, the most powerful chieftain in the kingdom, insisted on recalling the duke of Albany, son to a brother of James III. who had been banished into France, and who, having there married, had left posterity that were the next heirs to the crown, and the nearest relations to their young sovereign. Albany, though first prince of the blood, had never been in Scotland, was totally unacquainted with the manners of the people, ignorant of their situation, unpractised in their language; yet such was the favour attending the French alliance, and so great the authority of Hume, that this prince was invited to accept the reins of government. Francis, however, detained Albany some time in France; but at length, sensible how important it was to keep Scotland in his interests, he permitted him to go over and take possession of the regency: he even renewed the ancient league with that kingdom, though it implied such a close connection as might be thought somewhat to intrench on his alliance with England.

The regent having arrived in Scotland, he enquired about the state of the country, and character of the people, which he found to be very different from that which he had hitherto been acquainted with. That tur-

bulent kingdom, he perceived, was rather to be considered as a confederacy of petty princes, than a regular system of civil policy; and even the king, much more a regent, possessed an authority very uncertain and precarious. Arms more than laws prevailed; and courage, preferable to equity or justice, was most valued and respected. The nobility, in whom the whole power resided, were so connected by hereditary alliances or so divided by inveterate enmities, that it was impossible, without employing an armed force, either to punish the most flagrant guilt, or give security to the most entire innocence. Rapine and violence, when exercised on a hostile tribe, instead of making a person odious among his own clan, rather recommended him to their esteem and approbation; and by rendering him useful to the chieftain, entitled him to a preference above his fellows. And though the necessity of mutual support served as a close cement of amity among those of the same kindred, the spirit of revenge against enemies, and the desire of prosecuting the deadly feuds, (so they were called,) still appeared to be passions the most predominant among the uncultivated people of Scotland.

Albany on his arrival applied for information, with regard to the state of the country, to those who happened to be inveterate enemies of Hume\*; and they represented that nobleman as the chief source of public disorders, and the great obstacle to the execution of the laws and the administration of justice. Albany, moved by the artful tales of these persons, was induced to forget Hume's past services, to which he had chiefly been indebted for the regency; and he no longer bore towards him that favourable countenance with which he was wont to receive him. Hume's quick penetration soon perceived the alteration, and was incited, both by regard to his own safety, and from motives of revenge, to take measures in opposition to the regent. He applied himself to Angus and the queen-dowager, and represented to them the danger to which the infant prince was exposed from the ambition of Albany, next heir to the crown, to whom the states had imprudently entrusted the whole authority of government. Margaret, by his persuasion, formed the design of carrying off the young king, and putting him under the protection of her brother; and when that conspiracy was detected, she herself, attended by Hume and Angus, withdrew into the territories of the king of England, where she was delivered of a daughter not long after her arrival. Henry, in order to check the authority of Albany and the French party, gave encouragement to these malecontents, and assured them of his support. Hume and the regent however, afterwards appeared to be reconciled, and that nobleman returned into his own country; but notwithstanding this seeming reconciliation, mutual suspicions and jealousies still prevailed. He was committed to custody, under the care of the earl of Arran his brother-in-law; and was for some time detained prisoner in his castle. But having persuaded Arran to enter the conspiracy with him, he was allowed to make his escape; and he openly levied war upon the regent. A new accommodation ensued, not more sincere than the foregoing; and Hume was so imprudent as to entrust himself, together with his brother, into the hands of that prince. They were immediately seized, committed to custody, brought to trial, condemned, and

court in vain. Literature, which was then in its infancy, found in him a generous patron; and both by his public institutions and private bounty, he gave encouragement to every branch of erudition. Not content with this munificence, which gained him the approbation of the wise, he strove to dazzle the eyes of the populace, by the splendour of his equipage and furniture, the costly embroidery of his liveries, the lustre of his apparel. He was the first clergyman in England that wore silk and gold, not only on his habit, but also on his saddles and the trappings of his horses. He caused his cardinal's hat to be borne aloft by a person of rank; and when he came to the king's chapel, would permit it to be laid on no

place but the altar. A priest, the tallest and most comely he could find, carried before him a pillar of silver, on whose top was placed a cross: but not satisfied with this parade, to which he thought himself entitled as cardinal, he provided another priest of equal stature and beauty, who marched along, bearing the cross of York, even in the diocese of Canterbury; contrary to the ancient rule and the agreement between the prelates of these rival sees. The people made merry with the cardinal's ostentation; and said, they were now sensible, that one crucifix alone was not sufficient for the expiation of his sins and offences. Hume.

\* Buchanan, lib. xiv. Drummond.



executed\*. The regent took advantage of the present calm; and being invited over by the French king, who was at that time willing to gratify Henry, he went into France; where he intended to remain some years. During the absence of the regent some confusions prevailed in Scotland, and such mutual enmity, rapine, and violence among the great families, that the kingdom was for a long time utterly disabled, both from offending its enemies and assisting its friends.

Francis I. king of France, was a young and active prince, and of so martial a disposition, that it was imagined he would soon employ the great preparations which his predecessor before his death had made for the conquest of Milan. He had been observed even to weep at the recital of the military exploits of Gaston de Foix; and these tears of emulation were held to be sure presages of his future valour. He renewed the treaty which Lewis had made with Henry; and having left every thing secure behind him, he marched his armies towards the south of France; pretending that his sole purpose was to defend his kingdom against the incursions of the Swiss. This formidable people still retained their animosity against France; and were determined to defend the duke of Milan against the invader. They fortified themselves in all those vallies of the Alps, through which they thought the French must necessarily pass; and when Francis, with great secrecy, industry, and perseverance, made his entrance into Piedmont by another passage, they were not dismayed, but descended into the plain, though unprovided with cavalry, and opposed themselves to the progress of the French arms. At Marignan, near Milan, they fought with Francis one of the most furious and best contested battles, that is to be met with in the history of these later ages, on the 13th of September, 1515; and it required all the heroism of this prince to inspire his troops with courage sufficient to resist the desperate assault of those mountaineers. After a very obstinate action in the evening, night and darkness parted the combatants; but next morning the Swiss renewed the attack with unabated ardour; and it was not till they had lost all their bravest troops, that they could be prevailed on to retire. Twenty thousand men were slain on both sides: and the marshal Trivulzio, who had been present at eighteen pitched battles, declared, "That every engagement which he had yet seen, was only the play of children; but that the action of Marignan was a combat of heroes†." After this great victory, the conquest of the Milanese was easy and open to the arms of the French.

The success of Francis began to excite jealousy in Henry; and his rapid progress was not regarded without apprehensions by the English ministry‡. Henry complained of Francis for sending the duke of Albany into Scotland, and undermining the power and credit of his sister the queen-dowager. The repairing of the fortifications of Teroüenne was likewise regarded as a breach of treaty. But that which tended most to alienate the court of England, was the disgust which Wolsey had entertained against the French king: and that haughty prelate excited his master Henry to seek an occasion of quarrel with Francis. The emperor Maxi-

ilian engaged in Henry's cause for a sum of money; but his interference was to no purpose; and Henry found, after spending five or six hundred thousand ducats, to gratify his own and the cardinal's humour, that he had only weakened his alliance with France, without diminishing the power of that monarchy.

In the year 1516 died Ferdinand the Catholic, and he was succeeded by his grandson Charles to his extensive dominions. On account of Charles's accession of power and authority, Francis thought it highly necessary to seek the confidence and friendship of Henry; to obtain which no expedient could be found equal to that of bribing the cardinal.

In the year 1518 Bonnivet, admiral of France, was dispatched to the court of London, and he was directed to employ all his address to procure himself a place in Wolsey's good graces. He took an opportunity of declaring his master's regret, that, by mistakes and misapprehensions, he had lost the friendship of Wolsey, a friendship which he so much valued and esteemed. The prelate was not deaf to these advances from so great a monarch, and was thenceforth observed to express himself in favour of the French alliance. The more to engage him in his interests, Francis entered into such confidence with him, that he asked his advice even in his most secret affairs; and had recourse to him in all difficult emergencies, as to an oracle of wisdom and profound policy. The cardinal made no secret to the king of this private correspondence; and Henry was soon possessed in favour of the great capacity of his minister, that he said, "He verily believed he would govern Francis as well as himself." Having prepared the way, the admiral acquainted the cardinal, that his master was desirous to recover Tournay; and Wolsey, without hesitation, engaged to effect his purpose. He represented to the king and council, that Tournay lay remote from Calais, and that it would be very difficult in case of war, to keep the communication open between these two places: and as it was situated on the frontiers both of France and the Netherlands, it was exposed to attack from both these countries, and must necessarily, either by force or famine, fall into the hands of the first assailant: that even in the time of peace it could not be preserved without a large garrison, to restrain the numerous and mutinous inhabitants, ever discontented with the English government: and that the possession of Tournay, as it was thus precarious and expensive, so was it entirely useless, and afforded little or no means of annoying, on occasion, the dominions either of Charles or of Francis. The reasons given by the cardinal were of themselves convincing; and a treaty was entered into for the ceding of Tournay to the French§.

Francis having succeeded so well in his negotiation, began to enlarge his views, and to hope for more considerable advantages. To this end he practised on the vanity and self-conceit of the favourite. He redoubled his flatteries to the cardinal, consulted him more frequently in every difficult case, called him in each letter father, tutor, governor, and professed the most unbounded deference to his advice and opinion. These caresses were preparative to a negotiation for the deli-

\* It is remarkable that no legal crime was proved against these brothers: it was only alledged, that at the battle of Flouden they had not done their duty in supporting the king; and as this backwardness could not, from the course of their past life, be ascribed to cowardice, it was commonly imputed to a more criminal motive. The evidence, however, of guilt produced against them, was far from being valid or convincing; and the people, who hated them while living, were much dissatisfied with their execution.

† Histoire de la Ligue de Cambray.

‡ Italy was at that time, the seat of religion, of literature, of commerce; and as it possessed alone that lustre which has since been divided among other nations, it attracted the attention of all Europe; and every acquisition which was made there appeared more important than its weight in the ballance of power was, strictly speaking, entitled to.

§ In order to give to that measure a more graceful appearance, it was agreed, that the dauphin and the princess Mary, both of them infants, should be betrothed, and that this city should be considered as the dowry of the princess. Such kinds of agreement were then common among sovereigns, though it was very rare that the interests and views of the parties continued so steady as to render the intended marriage effectual. But as Henry had been at considerable expense in building a citadel at Tournay, Francis agreed to pay him six hundred thousand crowns at twelve annual payments, and to put into his hands eight hostages, all of them men of quality, for the performance of the article: and lest the cardinal should think himself neglected in these stipulations, Francis promised him a yearly pension of twelve thousand livres as an equivalent for his administration of the bishopric of Tournay. Hume.



very of Calais, in consideration of a sum of money which Francis intended to pay for it. This Wolsey found to be impracticable, and therefore the matter was laid aside. Soon after this the cardinal fell into new connexions with the king of Spain, and the great friendship which subsisted between Francis and him began gradually to decline.

Wolsey's pride was now farther increased by a great accession of power and dignity. He was invested with the legislative power, together with the right of visiting all the clergy and monasteries, and even with suspending all the laws of the church during a twelve-month\*. This accession of power prompted Wolsey to erect an office, which he called the legantine court; and as he was now, by means of the pope's commission and the king's favour, invested with all power, both ecclesiastical and civil, no man knew what bounds were to be set to the authority of his new tribunal†. Offence was taken on this commission; and the people were the more disgusted, when they perceived that Wolsey, a man who indulged himself in pomp and pleasure, was so severe in repressing the least appearance of licentiousness in others: and to render his court still more disagreeable, Wolsey made one John Allen judge in it‡. The clergy and the monks in particular, were exposed to the tyranny of this court; and as the libertinism of their lives often gave a just handle against them, they were obliged to purchase an indemnity, by paying large sums of money to the legate or his judge. Not content with this authority, Wolsey pretended, by virtue of his commission, to assume the jurisdiction of the bishop's courts; particularly that of judging of wills and tenements; and his decisions in those important points were deemed not a little arbitrary. As if he himself were pope, and as if the pope could absolutely dispose of every ecclesiastical preferment, he presented to whatever priories or benefices he pleased, without regard to the right of election in the monks, or of patronage in the nobility and gentry.

Archbishop Warham was the only one who dared inform the king of the discontents of his people on account of the usurpations of the legate. Henry professed his ignorance of the whole matter. "A man," said he, "is not so blind any where as in his own house: but do you, father," added he to the primate, "go to Wolsey, and tell him, if any thing be amiss, that he amend it." This reproof only served to augment Wolsey's enmity to Warham: but one London having prosecuted Allen, the legate's judge, in a court of law,

and having convicted him of malversation and iniquity, the clamour at last reached the king's ears; and he expressed such displeasure to the cardinal, as made him more cautious for the future in exerting the authority wherewith he had been invested.

On the 12th of January, 1519, the emperor Maximilian died, and by his death the first station among Christian princes was left vacant. This set the passions of men in agitation, and proved a kind of æra in the general system of Europe. The king of France and Spain immediately declared themselves candidates for the imperial crown; and employed every expedient of money or intrigue. Henry was also encouraged to advance his pretensions; but his minister, Pace, who was dispatched to the electors, found that he began to solicit too late, and that the votes of all these princes were already pre-engaged either on one side or on the other. Francis and Charles made profession from the beginning of carrying on this rivalry with emulation, but without enmity; and Francis in particular declared, that his brother Charles and he were, fairly and openly, suitors to the same mistress: the more fortunate, added he, will carry her; the other must rest contented. But every body apprehended, that this moderation would not be of long duration; and that incidents would certainly occur to sharpen the minds of the candidates against each other. It was Charles who at length prevailed, to the disappointment of the French monarch, who still continued to the last, in the belief that the majority of the electoral college was engaged in his favour. And as he was some years superior in age to his rival, and, after his victory at Marignan, and conquest of the Milanese, much superior in renown, he could not suppress his indignation, at being thus, in the face of the world, after long and anxious expectation, disappointed in so important a pretension§. During the transactions of these affairs, Henry, by the native force of his kingdom and its situation, held the balance between those two powers. He, however, sought not any means to take the advantage which his power gave him; but was, in his character, heedless, inconsiderate, capricious, impolitic; guided by his passions on his favourite; vain, imperious, haughty; sometimes actuated by friendship for foreign powers, oftener by resentment; seldom by his true interest: and thus, though he exulted in that superiority which his situation in Europe gave him, he never employed it to his own advantage, or to that of his subjects.

Francis, who was well acquainted with Henry's cha-

\* Hereupon Wolsey made a new display of that state and parade to which he was so much addicted. On solemn feast-days he was not content without saying mass after the manner of the pope himself: he had not only bishops and abbots to serve him; but even engaged the first nobility to give him water and a towel. He affected a rank superior to what had ever been claimed by any churchman in England. Warham the primate having written him a letter, in which he subscribed himself *your loving brother*, Wolsey complained of his presumption in thus challenging an equality with him. When Warham was told what offence he had given, he made light of the matter. "Know ye not," said he, "that this man is drunk with too much prosperity?"

† He conferred on it a kind of inquisitorial and censorial powers, even over the laity, and directed it to enquire into all matters of conscience; into all conduct which had given scandal: into all actions which, though they escaped the law, might appear contrary to good morals.

‡ This John Allen, according to Strype, in his *Memoirs*, vol. i. p. 125, was a person of scandalous life, whom Wolsey himself, as chancellor, had, it is said, condemned for perjury: and as it is pretended, that this man either extorted fines from every one whom he was pleased to find guilty, or took bribes to drop prosecutions, men concluded, and with an appearance of reason, that he shared with the cardinal those wages of iniquity.

§ From this competition, as much as from opposition of interests, arose that emulation between these two monarchs, which sets them in so remarkable a contrast to each other: both of them were princes endowed with talents and abilities; brave, aspiring, active, warlike; beloved by their servants and sub-

jects, dreaded by their enemies, and respected by all the world: Francis, open, frank, liberal, munificent, carrying these virtues to an excess which prejudiced his affairs: Charles, political, close, artful, frugal; better qualified to obtain success in wars and in negotiations, especially the latter. The one the more amiable man; the other the greater monarch. The king from his oversights and indiscretions, naturally exposed to misfortunes; but qualified by his spirit and magnanimity, to extricate himself from them with honour: the emperor, by his designing interested character, fitted, in his greatest successes, to excite jealousy and opposition even among his allies, and to rouse up a multitude of enemies in the place of one whom he had subdued. And as the personal qualities of these princes thus counterpoised each other, so did the advantages of their dominions. Fortune alone, without the concurrence of prudence or valour, never reaped up, of a sudden, so great a power as that which centered in the emperor Charles. He reaped the succession of Castile, of Arragon, of Austria, of the Netherlands: he inherited the conquest of Naples, of Grenada: election entitled him to the empire: even the bounds of the globe seemed to be enlarged a little before his time, that he might possess the whole treasure, as yet entire and unrisled, of the New World. But though the concurrence of all these advantages formed an empire, greater and more extensive than any known in Europe since that of the Romans, the kingdom of France alone, being close, compact, united, rich, populous, and being interposed between the provinces of the emperor's dominions, was able to make a vigorous opposition to his progress, and maintain the contest against him.



rafter endeavoured to accommodate his conduct to it. He solicited an interview in 1520 near Calais; in expectation of being able to gain upon the friendship and confidence of the English king. Wolsey earnestly seconded this proposal; and hoped in the presence of both courts, to make parade of his riches, his splendour, and his influence over both monarchs\*. While Henry was preparing to depart from Calais, he received intelligence that the emperor was arrived at Dover; and he immediately hastened thither with the queen, in order to give a suitable reception to his royal guest. That great prince being informed of the intended interview between Francis and Henry, became apprehensive of the consequences, and resolved to take the opportunity in his passage from Spain to the Low Countries, to make the king still a greater compliment, by paying him a visit in his own dominions. Exclusive of the marks of regard and attachment which he gave to Henry, he strove, by every testimony of friendship, by flattery, protestations, promises and presents, to gain on the vanity, the avarice, and the ambition of the cardinal. He instilled into this aspiring prelate the hope of ascending the papal throne; and as that was the sole point of elevation beyond his present greatness, it was sure to attract his wishes with the same ardour, as if fortune had never yet favoured him with any of her presents. Buoying himself up with the idea of reaching this dignity by the emperor's assistance, he secretly devoted himself to that monarch's interests; and Charles was perhaps the more liberal of his promises, because Leo was a very young man; and as it was not likely that, for many years, he should be called upon to fulfil his engagements. Henry observed this courtship paid to his minister; but instead of taking umbrage at it, he only made it a subject of vanity; and believed that, as his favour was Wolsey's sole support, the obedience of such mighty monarchs to his servant, was, in reality, a more conspicuous homage to his own grandeur.

The day of Charles's departure, May 30, Henry went over to Calais with the queen and his whole court; and proceeded to Guisnes. Francis attended in the like manner, came to Ardres; and the two monarchs met, for the first time, in the fields, at a place situated between these two towns, but still within the English pale: for Francis agreed to pay this compliment to Henry, in consideration of that prince's passing the sea that he might be present at the interview. Wolsey, to whom both kings had entrusted the regulation of the ceremonial, contrived this circumstance to honour his master†. The two monarchs, after saluting each other, retired into a tent which had been erected on purpose, and held a secret conference together. Henry proposed to make some amendments on the articles of their former alliance; and he began to read the treaty, "I Henry, king:" these were the first words; and he stopped a moment. He subjoined only the words "of England," without adding "France," the usual style of the English monarchs. Francis remarked this delicacy, and expressed by a smile, his approbation of it. He took an opportunity soon after of paying a higher compliment to Henry. That prince, full of honour himself, and incapable of disturbing others, was shocked at the precautions which were observed, whenever he had an interview with the English monarch: the number of their guards and attendants was carefully reckoned on both sides: every step was scrupulously measured and adjusted: and if the two kings intended to pay a

visit to the queens, they departed from their respective quarters at the same instant, which was marked by the firing of a culverin; they passed each other in the middle point between the places; and the moment that Henry entered Ardres, Francis put himself into the hands of the English at Guisnes. In order to break off this tedious ceremonial, which contained so many dishonourable implications, Francis took with him two gentlemen and a page, and rode directly into Guisnes. The guards were surprized at the presence of the monarch, who called aloud to them "You are all my prisoners: carry me to your master." Henry was equally astonished at the appearance of Francis; and, taking him in his arms, "My brother," said he, "you have played me the most agreeable trick in the world, and have shewed me the full confidence I may place in you: I surrender myself your prisoner from this moment." He took from his neck a collar of pearls worth fifteen thousand angels‡; and putting it about Francis's, begged him to wear it for the sake of his prisoner. Francis agreed, but on condition that Henry should wear a bracelet, of which he made him a present, and which was double in value to the collar. The king went next day to Ardres, without guards and attendants; and confidence being fully established between the monarchs, they employed the rest of the time entirely in tournaments and festivals. The two kings having sent a defiance to each other's court, and through all the chief cities in Europe, declared, "That Henry and Francis, with fourteen aids, would be ready, in the plains of Picardy, to answer all comers that were gentlemen, at tilt, tournament, and barriers." The monarchs, in order to fulfil this challenge, advanced into the field on horseback, Francis surrounded with Henry's guards, and Henry with those of Francis. They were gorgeously appareled; and were both of them very comely personages, as well as very expert in military exercises. They carried away the prize at all trials in those rough and dangerous pastimes; and several horses and riders were overthrown by their vigour and dexterity. The ladies were the judges in these feats of chivalry, and put an end to the rencounter, whenever they judged it expedient. Henry erected a spacious house of wood and canvas, which had been framed in London; and he there feasted the French monarch. He had placed a motto on this fabric, under the figure of an English archer embroidered on it, "*Cui adhuc preest*;" "He prevails whom I favour§:" Expressing his own situation, as holding in his hands the balance of power among the potentates of Europe. Thus did the two kings pass their time, till their departure from each other on the 24th of June.

The ceremonies of this visit being over, Henry paid a visit to the emperor and Margaret of Savoy at Gravelines; whom he engaged to accompany him to Calais, and pass some days in the fortress of that town. Charles here completed the impressions which he had begun to make on Henry and his favourite, and effaced all the friendship to which the frank and generous nature of Francis had given birth. As the house of Austria appeared now to take the ascendant over the French monarchy, the interest of England required, that some support should be given to the latter, and, above all, that any important wars should be prevented, which might bestow on either of them a decisive superiority over each other. The jealousy, however, of the English against the French had usually prevented a cordial

\* As Henry himself loved show and magnificence, and had entertained a curiosity of being personally acquainted with the French king, he cheerfully adjusted all the preliminaries of this interview. The nobility of both nations vied with each other in pomp and expence. Many of them involved themselves in great debts, and were not able, by the penury of their whole lives, to repay the vain splendour of a few days. The duke of Buckingham, who, though very rich, was sometimes addicted to frugality, finding his preparation for this festival amount to immoderate sums, threw out some expressions of displeasure against

the cardinal, whom he believed the author of that measure, an imprudence which was not forgotten by Wolsey.

† The nobility both of France and England here displayed their magnificence with such emulation and profuse expence, as procured to the place of interview the name of "The Field of the Cloth of Gold."

‡ Here we must observe, that an angel was then estimated at seven shillings, or near twelve of our present money.

§ Mezeray.



union between those nations: but we cannot help indulging the thought, that if the arms of England and France were united, no nation upon earth would be able to stand against the bravery of one and the policy of the other. Charles, sensible of this animosity, and desirous to flatter Henry's vanity, had made him an offer, (an offer in which Francis was afterwards obliged to concur,) that he should be the sole arbiter in any dispute that might arise between the monarchs. But the master-piece of Charles's politics was the securing of Wolsey in his interests, by very important services, and still higher promises. He renewed assurances of assisting him in obtaining the papacy; and put him in present possession of the revenues belonging to the sees of Badajoz and Placencia in Castile. The acquisitions of Wolsey were now become so exorbitant, that, joined to the pensions from foreign powers, which Henry allowed him to possess, his revenues were computed nearly equal to those which belonged to the crown itself; and he spent them with a magnificence, or rather an ostentation, which gave general offence to people, and even lessened his master in the eyes of foreign powers.

In 1521 hostilities commenced between the conqueror and Francis; but while these ambitious princes were acting in a warlike manner against each other in almost every part of Europe, they made professions of the strongest desire of peace, and both of them incessantly carried their complaints to Henry, as to the umpire between them. The king engaged them to send their ambassadors to Calais, there to negotiate a peace under the mediation of Wolsey and the pope's nuncio. The emperor was well apprised of the partiality of these mediators; and his demands in the conference were so unreasonable, as plainly shewed that he was conscious of the advantage. He required the restitution of Burgundy, a province which many years before had been ceded to France by treaty, and which, if in his possession, would have given him entrance into the heart of that kingdom: and he demanded to be freed from homage which his ancestors had always done for Flanders and Artois, and which he himself had by the treaty of Noyon, engaged to renew. On Francis's rejecting these terms, the congress of Calais broke up, and Wolsey, soon after, took a journey to Bruges, where he met with the emperor, who received him on the 4th of November, with the same state, magnificence, and respect, as if he had been the king of England himself; and he concluded in his master's name, an offensive alliance with the pope and the emperor against France. He stipulated, that England should next summer, invade that kingdom with forty thousand men; and betrothed to Charles the princess, the king's only child, who had now some prospect of inheriting the crown. This extravagant alliance, which was prejudicial to the interests, and might have proved fatal to the liberty and independence of the kingdom, was the result of the prejudices of Henry, and the private views and expectations of Wolsey.

The duke of Buckingham\*, constable of England, had by some means given disgust to the cardinal; but it was not long before he found reason to repent of his indiscretion. Buckingham was descended by a female from the duke of Gloucester, youngest son of Edward III. and though his claim to the crown was very remote, he had let fall some expressions, intimating that he thought himself best entitled, in case the king should die without issue, to possess the royal dignity. He had not even obtained from threats against the king's life, and had provided himself with arms, which he intended to employ, in case a favourable opportunity should offer. He was committed to the Tower on the 16th

of April: was soon after brought to a trial; and the duke of Norfolk, whose son, the earl of Surrey, had married Buckingham's daughter, was created lord steward, in order to preside at this solemn procedure. The jury consisted of a duke, a marquis, seven earls, and twelve barons; and they gave their verdict against Buckingham†, who was accordingly beheaded on the 17th of May.

A reformation of the church or ecclesiastical order, was now become absolutely necessary, as well on account of the corruptions of the church as of the dissolute lives of the clergy. During some years most parts of Europe had been agitated with those theological controversies, which produced in the end, that reformation which was one of the greatest events in history. About this time Henry took part in the quarrel, and therefore we shall here lay down in the writings of Hume, a circumstantial account of its rise and progress.

Most of the arts and professions in a state are of such a nature, that, while they promote the interests of the society, they are useful or agreeable to some individuals; and in that case, the constant rule of the magistrate, except, perhaps, on the first introduction of any arts, is, to leave the profession to itself, and trust its encouragement to those who reap the benefit of it. The artificers, finding their profits to rise by the favour of their customers, increase, as much as possible, their skill and industry; and as matters are not disturbed by any injudicious tampering, the commodity is always sure to be at all times nearly proportioned to the demand. But there are also some callings which, though useful and even necessary in a state, bring no particular advantage or pleasure to any individual; and the supreme power is obliged to alter its conduct with regard to the retainers of those professions. It must give them public encouragement in order to their subsistence; and it must provide against that negligence, to which they will naturally be subject, either by annexing peculiar honours to the profession, by establishing a long subordination of ranks and a strict dependence, or by some other expedient. The persons employed in the finances, armies, fleets, and magistracy, are instances of this order of men. It may naturally be thought, at first sight, that the ecclesiastics belong to the first class, and that their encouragement, as well as that of lawyers and physicians, may safely be entrusted to the liberality of individuals, who are attached to their doctrines, and who find benefit or consolation from their spiritual ministry and assistance. Their industry and vigilance will, no doubt, be whetted by such an additional motive; and their skill in the profession, as well as their address in governing the minds of the people, must receive daily increase, from their increasing practice, study, and attention. But if we consider the matter more closely, we shall find, that this interested diligence of the clergy, is what every wise legislator will study to prevent; because in every religion, except the true, it is highly pernicious, and it has even a natural tendency to pervert the true, by infusing into it a strong mixture of superstition, of folly, and of delusion. Each ghostly practitioner, in order to render himself more precious and sacred in the eyes of his retainers, will inspire them with the most violent abhorrence of all other sects, and continually endeavour, by some novelty to excite the languid devotion of his audience. No regard will be paid to truth, morals or decency, in the doctrines inculcated. Every tenet will be adopted that best suits the disorderly affections of the human frame.

Of all the ecclesiastical establishments none seem to have been fixed upon a worse foundation than that of

\* He seems, says Hume, to have been a man full of levity and vast projects; and being infatuated with judicial astrology, he entertained a commerce with one Hopkins, a Carthusian friar, who encouraged him in the notion of his mounting one day the throne of England.

† By his attainder the office of constable, which Buckingham had inherited from the family of the Boltons, earl of Hereford, was extinct, and was never afterwards revived in England.



the church of Rome, or to have been attended with circumstances more hurtful to the peace and happiness of mankind. The large revenues, privileges, immunities, and powers of the clergy rendered them formidable to the civil magistrates, and armed with too extensive authority, an order of men, who always adhere closely together, and who never want a plausible pretence for their encroachments and usurpations. The higher dignities of the church served, indeed, to the support of gentry and nobility; but by the establishment of monasteries, many of the lowest vulgar were taken from the useful arts, and maintained in those receptacles of sloth and ignorance. The supreme head of the church was a foreign potentate, guided by interests always different from those of the community, sometimes contrary to them. And as the hierarchy was necessarily solicitous to preserve an unity of faith, rites, and ceremonies, all liberty of thought ran a manifest risque of being extinguished; and violent persecutions, or, what was worse, a stupid and abject credulity, took place every where. To increase these evils, the church, though she possessed large revenues, was not contented with her acquisitions, but retained a power of practising farther on the ignorance of mankind. She even bestowed on each individual priest, a power of enriching himself by the voluntary oblations of the faithful, and left him still an urgent motive for diligence and industry in his calling: And thus, that church, though an expensive and burthensome establishment, was liable to many of the inconveniences which belong to an order of priests, trusting entirely to their own art and invention for attaining a subsistence. The advantages attending the Romish hierarchy were but a small compensation for its inconveniences. The ecclesiastical privileges during barbarous times had served as a cheque on the despotism of kings. The union of all the western churches under the supreme pontiff facilitated the intercourse of nations, and tended to bind all the parts of Europe into a close connexion with each other. And the pomp and splendour of worship which belonged to so opulent an establishment, contributed, in some respect, to the encouragement of the fine arts, and began to diffuse a general elegance of taste, by uniting it with religion. It will easily be conceived, that though the balance of evil prevailed in the Romish church, this was not the chief reason which produced the reformation. A concurrence of incidents must have contributed to forward that great revolution. Leo X. by his generous and enterprising temper, had much exhausted his treasury, and was obliged to employ every invention which might yield money, in order to support his projects, pleasures, and liberalities. The scheme of selling indulgencies was suggested to him, as an expedient which had often served in former times to draw money from the Christian world, and make devout people willing contributors to the grandeur and riches of the court of Rome. The church, it was supposed, was possessed of a great stock of merit, as being entitled to all the good works of all the saints, beyond what were employed in their own justification; and even to the merits of Christ himself, which were infinite and unbounded: and from this unexhausted treasury, the pope might retail particular portions, and by that traffic

acquire money, to be employed in pious purposes, in resisting the infidels or subduing schismatics. When the money came into his exchequer, the greater part of it was usually diverted to other purposes\*.

It is commonly believed that Leo, from the penetration of his genius, and his familiarity with ancient literature, was fully acquainted with the ridicule and falsity of the doctrines which, as supreme pontiff, he was obliged by his interest to promote: it is the less wonder, therefore, that he employed, for his profit, those pious frauds which his predecessors, the most ignorant and credulous, had always, under plausible pretences, made use of for their selfish purposes. He published the sale of a general indulgence in 1517, and as his expences had not only exhausted his usual revenue, but even anticipated the money expected from this extraordinary expedient, the several branches of it were openly given away to particular persons, who were entitled to levy the imposition. The produce, particularly of Saxony, and the countries bordering on the Baltic, was assigned to his sister Magdalen, married to Cibo, natural son of Innocent VIII. and she, in order to enhance her profit, had framed out the revenue to one Arcemboldi, a Genoese, once a merchant, now a bishop, who still retained all the lucrative arts of his former profession†. The Austin friars had usually been employed in Saxony to preach the indulgencies, and from this trust had derived both profit and consideration: but Arcemboldi, fearing lest practice might have taught them means to secrete the money‡, and expecting no extraordinary success from the ordinary methods of collection, gave this occupation to the Dominicans. These monks, in order to prove themselves worthy of distinction conferred on them, exaggerated the benefits of indulgencies by the most unbounded panegyrics; and advanced doctrines on that head which, though not more ridiculous than those already received, were not as yet entirely familiar to the ears of the people§. To add to the scandal, the collectors of this revenue are said to have lived very licentious lives, and to have spent in taverns, gaming-houses, and places still more infamous, the money which devout persons had saved from their usual expences, in order to purchase a remission of their sins||.

These circumstances might have given offence, but would have been attended with no event of any importance, had there not risen a man qualified to take advantage of the incident. Martin Luther, an Austin friar, professor in the university of Wittemberg, resenting the affront put upon his order, began to preach against the abuses in the sale of indulgencies; and being naturally of a fiery temper, and provoked by opposition, he proceeded even to decry indulgencies themselves; and was then carried by the heat of dispute, to question the authority of the pope, from which his adversaries derived their chief arguments against him\*\*. Still as he enlarged his reading, in order to support their tenets, he discovered some new abuse or error in the church of Rome; and finding his opinions greedily hearkened to, he promulgated them by writing, discourse, sermon, conference; and daily increased the number of his disciples. All Saxony, all Germany, all Europe, were in a little time filled with the voice of Luther; and men,

\* Father Paul and Sleidan.

† Father Paul, Sleidan.

‡ Father Paul, lib. 1.

§ Protestant writers have imagined, that because a man could purchase for a shilling an indulgence for the most enormous and unheard-of crimes, there must necessarily have ensued a total dissolution of morality, and consequently of civil society, from the practices of the Roman church. They do not consider, that after all these indulgencies were promulgated, there still remained (besides hell-fire) the punishment by the civil magistrate, the infamy of the world, and secret remorse of conscience, which are the great motives that operate on mankind. The philosophy of Cicero, which allowed of an Elysium, but rejected all Tartarus, was a much more universal indulgence than that preached by Arcemboldi or

Tetzel: yet nobody will suspect Cicero of any design to promote immorality. The sale of indulgencies seems, therefore, no more criminal than any other cheat of the church of Rome, or of any other church. The reformers, by entirely abolishing purgatory, did really, instead of partial indulgencies sold by the pope, give gratis a general indulgence of a similar nature, for all crimes and offences without exception or distinction. The souls once consigned to hell, were never supposed to be redeemable by any price. There is on record only one instance of a damned soul that was saved, and that by the special intercession of the Virgin. See Pascal's Provincial Letters. An indulgence saved the person who purchased it from purgatory only.

|| Father Paul, lib. 1.

\*\* Father Paul, Sleidan.



rouzed from that lethargy in which they had so long slept, began to call in question the most ancient and most received opinions. The elector of Saxony, favourable to the doctrine of this reformer, protected him from the violence of the papal jurisdiction: the republic of Zurich even reformed their church according to their new model: many sovereigns of the empire, and the Imperial diet itself, shewed a favourable disposition towards it: and Luther, a man naturally inflexible and vehement, was become incapable, either from promises of advancement or terrors of severity, to relinquish a sect of which he was himself the founder, and which brought him a glory superior to all others, the glory of dictating the religious faith and principles of multitudes. The rumour soon reached England; and as there still subsisted great remains of the Lollards in that kingdom, whose principles resembled those of Luther, the new doctrines secretly gained many partizans among the laity of all ranks and denominations. Henry had been educated in the church of Rome, and he bore a particular prejudice against Luther, who in his writings spoke contemptuously of Thomas Aquinas, the king's favourite author: he opposed himself therefore, to the progress of the Lutheran tenets, by all the influence which his extensive and almost absolute authority conferred upon him; he even undertook to combat them with weapons not usually employed by monarchs, especially those in the flower of their age and force of their passions. He wrote a book in Latin against the principles of Luther; a performance which, if allowance be made for the subject and the age, does no discredit to his capacity. He sent a copy of it to Leo, who received so magnificent a present with great testimony of regard; and conferred on him the title of "*Defender of the Faith*;" an appellation still retained by the kings of England. Luther, who was in the heat of controversy, soon published an answer to Henry; and, without regard to the dignity of his antagonist, treated him with all the acrimony of style, to which in the course of his polemics, he had so long been accustomed. The king, by this ill usage, was still more prejudiced against the new doctrines; but the public, who naturally favour the weaker party, were inclined to attribute to Luther the victory in the dispute\*. And as the controversy became more illustrious by Henry's entering the lists, it drew still more the attention of mankind; and the Lutheran doctrine daily acquired new converts in every part of Europe, but more particularly in Germany.

The rapid progress of Lutheranism, may be partly ascribed to the invention of printing and revival of learning: not that reason bore any considerable share in opening men's eyes with regard to the impostures of the Romish church: for all branches of literature philosophy had, as yet, and still long afterwards, made the most inconsiderable progress; neither is there any instance that argument has ever been able to free the people from that enormous load of absurdity, with which superstition has every where overwhelmed them: the art of printing and the revival of learning forwarded its progress in another manner. By means of that art the books of Luther and his sectaries were propagated more quickly and in greater numbers. The minds of men, somewhat awakened from a sleep of so many centuries, were prepared for every novelty, and scrupled less to tread in any unusual path which was opened to them. And as copies of the Scriptures and other monuments of the Christian faith became more common, men perceived the innovations which were introduced after the first centuries; and though argument and reasoning could not give conviction, an historical fact, well supported, was able to make impression on their understandings. Many of the powers, indeed, assumed by the church of Rome, were very ancient, and were prior to almost every political government established in Europe: but as the ecclesiastics would not agree to possess their privileges as matters of civil right, which time might render valid, but appealed still to divine origin, men were tempted to look into their primitive charter;

No. XXXVII.

and they could without much difficulty, perceive its defect in truth and authenticity. In order to bestow on this topic the greater influence, Luther and his followers, not satisfied with opposing the pretended divinity of the Romish church, and displaying the temporal inconveniences of that establishment, carried matters much farther, and justly treated the religion of their ancestors as abominable, detestable, damnable; foretold by Sacred Writ itself as the source of all wickedness and pollution. They rightly denominated the pope *Antichrist*, called his communion the *Scarlet Whore*, and gave to Rome the appellation of *Babylon*; expressions, which were to be found in the Scriptures of Truth, and which were better calculated to operate on the multitude, than the most solid arguments. Excited by contest and persecution on the one hand, by success and applause on the other, many of the reformers carried to the greatest extremity their opposition to the church of Rome; and in contradiction to the multiplied superstitions with which that communion was loaded, they adopted an enthusiastic strain of devotion, which admitted of no observances, rites, or ceremonies, but placed all merit in a mysterious species of faith, inward vision, rapture, and ecstacy. The new sectaries, seized with this spirit, were indefatigable in the propagation of their doctrine, and set at defiance all the apathemas and punishments with which the Roman pontiff endeavoured to overwhelm them. In order to gain protection from the civil powers against the ecclesiastical jurisdiction, the Lutherans advanced doctrines favourable in some respect to the temporal authority of sovereigns. They inveighed against the abuses of the court of Rome; and they exhorted princes to reinstate themselves in those powers of which the encroaching spirit of the ecclesiastics, especially of the sovereign pontiff, had so long bereaved them. They condemned celibacy and monastic vows, and thereby opened the doors of the convents to those who were either tired of the obedience and chastity, or disgusted with the licence in which they had hitherto lived. They blamed the excessive riches, the idleness, the libertinism of the clergy; and pointed out their treasures and revenues as lawful spoils to the first invader. As the ecclesiastics had hitherto conducted a willing and stupid audience, and were totally unacquainted with controversy, much more with every species of true literature; they were unable to defend themselves against men armed with authorities, quotations, and popular topics, and qualified to triumph in every altercation or debate. Such were the advantages with which the reformers began their attack on the Romish hierarchy; and such were the causes of their rapid and astonishing success. Leo X. whose oversights and too supine trust in the profound ignorance of the people, had given rise to this sect, but whose sound judgement, moderation, and temper, were well qualified to regard its progress, died in the flower of his age, a little after he received the king's book against Luther, on the 1st of December, 1521. He was succeeded in the papal chair by Adrian, a Fleming, who had been tutor to the emperor Charles. This man was fitted to gain on the reformers by the integrity, candour and simplicity of manners which distinguished his character; but so violent were these prejudices against the church, he rather hurt the cause by his imprudent exercise of those virtues. He frankly confessed, that many abominable and detestable practices prevailed in the court of Rome; and by this sincere avowal he gave occasion of much triumph to the Lutherans. This pontiff also, whose penetration was not equal to his good intentions, was seduced to concur in that league which Charles and Henry had formed against France; and he hereby augmented the scandal occasioned by the practice of so many preceding pope's, who still made their spiritual arms subservient to political interests.

Charles imagining that Wolsey had received a disappointment in his ambitious hopes by the election of Adrian, paid another visit to England; where he landed on the 26th of May, 1522; and besides flattering the

5 R

vanity



vanity of the king and the cardinal, he renewed to Wolsey, all the promises which he had made him, of seconding his pretensions to the papal throne. Wolsey, sensible that Adrian's great age and infirmities promised a speedy vacancy, dissembled his resentment, and hoped for a more prosperous issue to the next election. The emperor renewed the treaty made at Bruges, to which some articles were added; and he agreed to indemnify both the king and Wolsey for the revenue which they should lose by a breach with France. The more to ingratiate himself with Henry and the English nation, he gave to Surrey, admiral of England, a commission for being admiral of his dominions; and he himself was installed knight of the garter at London. After a stay of six weeks in England, he embarked at Southampton, and in ten days arrived in Spain, where he soon pacified the tumults which had arisen in his absence.

In the spring of this year, the king declared war against France; and this measure was founded on so little reason, that he could alledge nothing as a ground of quarrel, but Francis's refusal to submit to his arbitration, and his sending Albany into Scotland.—This last step had not been taken by the French king, till he was quite assured of Henry's resolution to attack him. Surrey landed some troops at Cherbourg in Normandy; and after laying waste the country, he sailed to Morlaix, a rich town in Brittany, which he took and plundered. The English merchants had great property in that place, which was no more spared by the soldiers than the goods of the French. Surrey then left the charge of the fleet to the vice-admiral; and sailed to Calais, where he took the command of the English army destined for the invasion of France. This army, when joined by forces from the Low Countries, under the command of the Count de Buren, amounted in the whole to eighteen thousand men. The French had made it a maxim in almost all their wars with the English, since the reign of Charles V. never, without great necessity, to hazard a general engagement; and the duke of Vendome, who commanded the French army, now embraced this wise policy. He supplied the towns most exposed, especially Boulogne, Montreuil, Terouenne, and Hedin, with strong garrisons and plenty of provisions. He himself took post at Abbeville, with some Swiss and French infantry, and a body of cavalry. The count of Guise encamped under Montreuil with six thousand men. These two bodies were in a situation to join upon occasion; to throw supplies into any town that was threatened; and to harraß the English in every movement. Surrey, not being provided with magazines, first divided the troops for the convenience of subsistence; but finding his quarters were beaten up by the activity of the French generals, he drew together his forces, and laid siege to Hedin. He did not however succeed in this enterprize. The garrison made vigorous sallies upon his armies; the French forces assaulted him from without; great rains fell; fatigue and bad weather threw the soldiers into dysenteries; and Surrey was obliged to raise the siege, and put his troops into winter-quarters about the end of October. His rear-guard was attacked at Pas in Artois, and five or six hundred men were cut off; nor could all his efforts make him master of one place within the French frontier. The allies were more successful in Italy. Lautrec, who commanded the French, lost a battle at Bicocca near Milan; and was obliged to retire with the remains of his army\*. After this battle the castle of Cremona was the sole fortress which remained in the hands of the French in Italy.

The duke of Albany, finding his ally, the king of France, involved in a war with England, sought measures to disturb the latter kingdom; and therefore summoned the whole force of Scotland, to meet in the fields of Rosline. He thence conducted the army southwards

into Annandale; and prepared to pass the borders of Solway-Frith. But many of the nobility were disgusted with the regent's administration; and observing that his connections with Scotland were feeble, in comparison of those which he maintained with France, they murmured that, for the sake of foreign interests, their peace should so often be disturbed, and war during their king's minority be wantonly entered into with a neighbouring nation, so much superior in force and riches. The Gordons, particularly, refused to advance any farther; and Albany, observing a general discontent to prevail, was obliged to conclude a truce with lord Dacres, warden of the English west marches. Soon after the duke departed for France.

In 1523, during the absence of the regent of Scotland, Henry marched an army into that country, under the command of Surrey, who ravaged the Merse and Tiviotdale without opposition, and burned the town of Jedburgh. The Scots had neither king nor regent to conduct them; the two Humes had been put to death; Angus was in a manner banished, by being sent into France before the departure of the duke of Albany; no nobleman of vigour or authority remained, who was qualified to assume the government; and the English monarch, who knew the distressed situation of the country, determined to push them to extremity, in hopes of engaging them, by the sense of their present weakness, to make a solemn renunciation of the French alliance, and to embrace that of England†. He even gave them hopes of contracting a marriage between the lady Mary, heiress of England, and their young monarch; an expedient which would for ever unite the two kingdoms; and the queen dowager recommended every where the advantage of this alliance, and of a confederacy with Henry. She, together with her party, declared, "That the interests of Scotland had too long been sacrificed to those of the French nation, who, whenever they were reduced to difficulties, called for the assistance of their allies; but were ready to abandon them as soon as they found their advantage in making peace with England: that where a small state entered into so close a confederacy with a greater, it must always expect this treatment, as a consequence of the unequal alliance; but there were peculiar circumstances in the situation of the kingdoms, which in the present case rendered it inevitable: that France was so distant and so divided from them by sea, that she scarcely could by any means, and never could in time, send succours to the Scots, sufficient to protect them against ravages from the neighbouring kingdom: that nature had in a manner formed an alliance between the two British nations; having inclosed them in the same island; given them the same manners, language, laws, and form of government; and prepared every thing for an intimate union between them: and that if national antipathies were abolished, which would soon be the effect of peace, these two kingdoms, secured by the ocean and by their domestic force, could set at defiance all foreign enemies, and remain for ever safe, notwithstanding the molestations of neighbouring states." The partizans of the French alliance, on the other hand, said, "That the very reasons which were urged in favour of a league with England, the vicinity of the kingdom and its superior force, were the real causes why a sincere and durable confederacy could never be formed with that hostile nation: that among neighbouring kingdoms occasion of quarrel were frequent; and the more powerful would be sure to seize every frivolous pretence for oppressing the weaker, and reducing it to subjection: that as the neighbourhood of France and England had kindled a war almost perpetual between them, it was the interest of the Scots, if they wished to maintain their independence, to preserve their league with the former kingdom, which ballanced the force of the latter: that if

\* This misfortune, which proceeded from Francis's negligence in not supplying Lautrec with money, was followed with

the loss of Genoa.

† Buchanan, lib. xiv. Herbert.



they deserted that old and salutary alliance on which their importance in Europe chiefly depended, their ancient enemies, stipulated both by interest and by passion, would soon invade them with superior force, and bereave them of all their liberties: or if they delayed the attack, the insidious peace, by making the Scots forget the use of arms, would only prepare the way for enslaving the Scottish nation." Soon after these transactions the duke of Albany returned to Scotland and assembled an army with a view to avenge the ravages committed by the English in the beginning of the campaign. He led them southwards: but when they were passing the Tweed at the bridge of Melrose, the English party raised such opposition, that Albany thought proper to retreat. He marched along the banks of the Tweed, keeping that river on his right; and fixed his camp opposite to Werk-Castle, which Surrey had lately repaired. He sent some troops to besiege this fortress, who made a breach in it, and stormed some of the outworks, but hearing of the approach of the English army, he thought proper to disband his forces, and retire to Edinburgh. Albany, however, soon after went to France, and never returned again to Scotland.

We must not pass over the general survey which Henry caused to be made of the whole kingdom, in 1522. The vast sums of money which Henry VII. had left were all spent in dissipation; and the revenues of the crown were unequal to the ordinary charges of government; so that his military enterprizes were entirely to be provided for. With a pecuniary view he ordered accounts to be taken of the numbers of men; their years, profession, stock, revenue\*; and expressed great satisfaction on finding the nation so opulent. He then issued privy seals to the most wealthy, demanding loans of particular sums†. On the 15th of April following Henry summoned a parliament, together with a convocation; and found neither of them disposed to complain of the infringement of their privileges. It was doubted how far they would carry their liberality to the king. Wolsey, who had undertaken the management of the affair, began with the convocation, in hopes that their example would influence the parliament to grant a large supply. He demanded a moiety of the ecclesiastical revenues to be levied in five years, or two shillings in the pound during that time; and though he met with opposition, he reprimanded the refractory members in such severe terms, that his request was at last complied with. The cardinal afterwards, attended by several of the nobility and prelates, came to the house of commons; and in a long and elaborate speech laid before them the public necessities, the danger of an invasion from Scotland, the affronts received from France, the league in which the king was engaged with the pope and the emperor; and he demanded a grant of eight hundred thousand pounds, divided into four yearly payments; a sum computed, from the late survey or valuation, to be equal to four shillings in the pound of one year's revenue, or one shilling in the pound yearly, according to the division proposed‡. So large a grant was unusual from the

commons; and though Wolsey's demand was seconded by Sir Thomas More the speaker, and several other members attached to the court, the house could not be prevailed with to comply§. They also voted two shillings in the pound on all who enjoyed twenty pounds a year and upwards; one shilling on all who possessed between twenty pounds and forty shillings a year; and on the other subjects above fifteen years of age, a groat a-head. This last sum was divided into two yearly payments; the former into four; and was not, therefore, at the utmost, above six-pence in the pound. The grant of the commons was but the moiety of the sum demanded; and the cardinal, therefore, much mortified with the disappointment, came again to the house, and desired to reason with such as refused to comply with the king's request. He was told, that it was a rule of the house never to reason among themselves; and his desire was rejected. The commons somewhat enlarged their former grant, and voted an imposition of three shillings in the pound on all possessed of fifty pounds a year and upwards||. The proceedings of this house of commons evidently discover the humour of the times: they were extremely tenacious of their money, and refused a demand of the crown, which was far from being unreasonable; but they allowed an encroachment on national privileges to pass uncentured, though its direct tendency was to subvert entirely the liberties of the people.

Wolsey received in this year a new disappointment in his aspiring views. Pope Adrian VI. died; and Clement VII. of the family of Medicis, was elected in his place, by the concurrence of the Imperial party. Wolsey could now perceive the insincerity of the emperor, and he concluded that prince would never second his pretensions to the papal chair. He highly resented this injury, and began to estrange himself from the Imperial court, and to pave the way for an union between his master and the French King. Mean while he concealed his disgust; and after congratulating the new pope on his promotion, applied for a continuation of the legantine powers, which the two former popes had conferred upon him. Clement knowing the importance of gaining his friendship, granting him a commission for life; and by this unusual concession, he in a manner transferred to him the whole papal authority in England. In some particulars Wolsey made a good use of his extensive power. He erected two colleges, one at Oxford, another at Ipswich, the place of his nativity; he sought, all over Europe, for learned men to supply the chairs of these colleges; and, in order to bestow endowments on them, he suppressed some smaller monasteries, and distributed the monks into other convents. The execution of this project became the less difficult for him, because the Romish church began to perceive that she over-abounded in monks, and that she wanted some supply of learning, in order to oppose the inquisitive, or rather disputative humour of the reformers.

On the opening of the campaign, says Guicciardini, the confederacy against France seemed more formidable

\* Herbert, Stowe, p. 514.

† This act of power, though somewhat irregular and tyrannical, had been formerly practised by kings of England; and the people were now familiarised to it. But Henry this year carried his authority much farther. He published an edict for a general tax upon his subjects, which he still called a loan; and he levied five shillings in the pound upon the clergy, and two shillings upon the laity. This pretended loan, as being more regular, was really more dangerous to the liberties of the people; and was a precedent for the king's imposing tax without consent of parliament.

‡ This survey of valuation is liable to much suspicion, as fixing the rents a great deal too high; unless the sum comprehend the revenues of all kinds, industry, as well as land and money.

§ Hert. Stowe, p. 518. Parliamentary History. Strype, vol. 1. 49, 50.

|| It is said, that when Henry heard that the commons made a great difficulty of granting the required supply, he was

so provoked that he sent for Edward Montague, one of the members who had a considerable influence on the house; and he being introduced to his majesty, had the mortification to hear him speak in these words: "Ho! man! will they not suffer my bill to pass?" And laying his hand on Montague's head, who was then on his knees before him, "Get my bill passed by to-morrow, or else to-morrow this head of your's shall come off." This cavalier manner of Henry succeeded; for next day the bill passed. Collins's British Peerage. Grove's Life of Wolsey. We are told by Hall, fol. 38, that cardinal Wolsey endeavoured to terrify the citizens of London into the general loan exacted in 1525, and told them plainly, "that it were better that some should suffer indigence, than that the king at this time should lack; and therefore beware and resist not, nor ruffle not in this case, for it may fortune to cost some people their heads." Such was the style employed by this king and his ministers



than ever. Adrian had renewed the league with Charles and Henry. The Venetians had been induced to desert the French alliance, and to form engagements for securing Francis Sforza, brother to Maximilian, in possession of the Milanese. The Florentines, the duke of Ferrara and Mantua, and all the powers of Italy, combined in the same measure. The Emperor, in person, menaced France with a powerful invasion on the side of Guienne: the forces of England and the Netherlands hovered over Picardy: a numerous body of Germans were preparing to ravage Burgundy: but all these perils from foreign enemies were less threatening than a domestic conspiracy which had been formed, and which was now come to full maturity, against the French monarch: Charles, duke of Bourbon, constable of France, was a prince of great abilities: and, besides distinguishing himself in many military enterprizes, he was adorned with every accomplishment which became a person of his high station\*. Bourbon, provoked at all the indignities he received, and thinking that, if any injuries could justify a man in rebellion against his prince and country, he must stand acquitted, had entered into a secret correspondence with the emperor and the king of England. Francis, pertinacious in his purpose of recovering the Milanese, had intended to lead his army in person into Italy; and Bourbon, who feigned sickness, in order to have a pretence for staying behind, purposed, as soon as the king should have passed the Alps, to raise an insurrection among his numerous vassals, and to introduce foreign enemies into the heart of the kingdom. Francis was informed of his design; but, as he was not expeditious enough in securing so dangerous a foe, the constable made his escape; and entering into the emperor's service, employed all the force of his enterprising spirit, and his great talents for war, to the prejudice of his native country.

Henry desirous that Francis should undertake his Italian expedition, did not openly threaten Picardy this year with an invasion; but on the 24th of August the duke of Suffolk, who commanded the English forces, passed over to Calais. He was attended by the lords Montacute, Herbert, Ferrars, Morney, Sandys, Berkley, Powis, and many other noblemen and gentlemen. The English army, reinforced by some troops from the garrison of Calais, amounted to about twelve thousand men; and having joined an equal number of Flemings under count de Buren, they prepared for an invasion of France. The siege of Boulogne was first proposed; but that enterprize appearing difficult, it was thought more advisable to leave this town behind them. The frontier of Picardy was ill provided with forces. The only defence of that province was the activity of the French officers, who infested the allied army in their march and their garrisons, with great expedition, into every town which was threatened by them. After coasting the Somme, and passing Hedin, Montreuil, and Dourlens, the English and Flemings presented themselves before Bray, a place of small force, which commanded a bridge over that river. Here they resolved to pass, and to take up winter quarters in France; but Crequi threw himself into the town, and seemed determined to defend it. The allies attacked him with vigour and success; and when he retreated over the

bridge, they pursued him, so that he had not time to break it down. The allies routed his army. They next advanced to Mondidier, which they besieged; and took by capitulation. Meeting with no opposition, they proceeded to the river Oise, about thirty miles from Paris, and threw that city into great consternation; till the duke of Vendôme hastened with some forces to its relief. The confederates, fearful of being surrounded, and being reduced to extremities during an advanced season, thought proper to retreat. Mondidier was abandoned; and the English and Flemings retired into their respective countries, without effecting any thing.

The kingdom of France defended herself from the other invasions with facility and good fortune. Twelve thousand Lansquenets entered Burgundy under the command of the count of Burtenburg. The count of Guise, who defended that frontier, had nothing to oppose to them but some militia, and about nine hundred heavy-armed cavalry. He threw the militia into the garrison towns; and keeping the field with his cavalry, he so harassed the Germans, that they retreated into Lorraine. Guise attacked them as they passed the Meuse, put them into disorder, and cut off the greater part of their rear.

Charles made preparations on the side of Navarre; and that frontier seemed exposed to danger from the powerful invasion which threatened it, though it was well guarded by nature. The emperor besieged Fontarabia; and when he had drawn thither Lautrec, the French general, he suddenly raised the siege, and sat down before Bayonne. Lautrec, aware of that stratagem, threw himself into Bayonne, which he defended with such vigour, that the Spaniards were constrained to raise the siege. The emperor returned to Fontarabia and laid siege to that place, which was surrendered in a few days: and Charles, having finished his enterprize, sent his troops into winter-quarters. The French, after various skirmishes and disappointments, were at length compelled to leave Italy; and the pope endeavoured to bring about a reconciliation between Henry of England and Francis of France; but Wolsey was determined to act as he thought fit, and therefore persuaded the king to reject the pope's mediation: a new treaty was then concluded between Henry and Charles for the invasion of France. Charles stipulated to supply the duke of Bourbon with a powerful army, in order to conquer Provence and Dauphiny: Henry agreed to pay him a hundred thousand crowns for the first month; after which, he might either choose to continue the same monthly payments, or invade Picardy with a powerful army. Bourbon was to possess these provinces with the title of king; but to hold them in fee of Henry as king of France. The duchy of Burgundy was to be given to Charles: the rest of the kingdom to Henry†.

Not long after the king of France invaded Italy, passing the Alps at Mount Cenis, and no sooner appeared in Piedmont than he threw the Milanese into consternation. The forces of the emperor and Sforza retired to Lodi, and Francis imprudently laid siege to Pavia, a town of considerable strength, well garrisoned, and defended by Leyva, one of the bravest officers in the Spanish service‡. The fatigue of this siege and the

\* His virtues, embellished with the graces of youth, had made such impression on Louise of Savoy, Francis's mother, that, without regard to their inequality of their years, she made him proposals of marriage; and meeting with a repulse, she formed schemes of unrelenting vengeance against him. She was a woman false, deceitful, vindictive, malicious; but, unhappily for France, had, by her capacity, which was considerable, acquired an absolute ascendant over her son. By her instigation Francis put many affronts on the constable, which it was difficult for a gallant spirit to endure; and, at last, he permitted Louise to prosecute a law suit against him, by which on the most frivolous pretences, he was deprived of his ample possessions; and inevitable ruin was brought upon him.

† This chimerical partition immediately failed of execution in the article which was most easily performed: Bourbon re-

fused to acknowledge Henry as king of France. His enterprize, however, against Provence still took place. A numerous army of Imperialists invaded that country, under his command, and that of the marquis of Pescara. They laid siege to Marseilles, which being weakly garrisoned, they expected to reduce in a little time; but the citizens defended themselves with such valour and obstinacy, that Bourbon and himself, who heard of the French king's approach with a numerous army, found themselves under a necessity of raising the siege; and they led their forces, weakened, bled, and disheartened, into Italy.

‡ Every attempt which the French king made to gain this important place proved fruitless. He battered the walls, and made breaches; but by the vigilance of Leyva, new reinforcements were instantly thrown up behind the breaches; he at-



bad season, (for it was the depth of winter,) had wasted the French army. The Imperial generals, mean while, were not inactive. Pescara and Lonnoy, viceroy of Naples, assembled forces from all quarters. Bourbon having pledged his jewels, went into Germany, and with the money, aided by his personal interest, levied a body of twelve thousand Landsknechts, with which he joined the Imperialists. This whole army advanced to raise the siege of Pavia: and the danger to the French became every day more imminent. The Imperial generals, after cannonading the French camp for several days, at last made a general assault, and broke into the intrenchments. Leyva sallied from the town, and increased the confusion among the besiegers. The Swiss infantry, contrary to their usual practice, behaved in a dastardly manner, and deserted their post. Francis's forces were routed; and he himself surrounded by his enemies, after fighting with heroic valour, and killing seven men with his own hand, was at last obliged to surrender himself prisoner. Almost the whole army, full of nobility and brave officers, either perished by the sword, or were drowned in the river. The few who escaped with their lives, fell into the hands of the enemy. This battle was fought on the 24th of February, 1525.

The news of this victory was carried to the emperor by Penalosa, who passed through France by means of a safe conduct granted him by the captive king. The moderation which Charles displayed on this occasion, had it been sincere, would have done him honour. Instead of rejoicing, he expressed sympathy with Francis's ill fortune, and discovered his sense of those calamities to which the greatest monarchs are exposed. He refused the city of Madrid permission to make any public expressions of triumph; and said that he reserved all his exultation till he should be able to obtain some victory over the Infidels. He sent orders to his frontier garrisons to commit no hostilities upon France. He spoke of concluding, immediately, a peace on reasonable terms. But this seeming moderation was hypocrisy, so much the more dangerous as it was profound. And he was wholly occupied in forming schemes how, from this great incident, he might draw the utmost advantage, and gratify that exorbitant ambition by which, in all his actions, he was ever governed. Penalosa, in passing through France, carried a letter from Francis to his mother, whom he had left regent, and who then resided at Lyons. It contained only these few words: "Madam, all is lost except our honour." The princess was struck with the greatness of the calamity. She saw the kingdom without a sovereign, without an army, without generals, without money: surrounded on every side by implacable and victorious enemies: and her chief resource, in her present distresses, were the hopes she entertained of peace, and even of assistance from the king of England.

The calamities of France, and the distressed situation of Francis, made Henry feel for the fate of Europe. Charles's power was now grown too great; and Henry, as well as his minister Wolsey, had become somewhat disgusted at Charles's conduct\*. Henry, though immediately determined to embrace new measures, was careful to save appearances in the change; and he caused rejoicings to be every where made on account of the victory of Pavia, and the captivity of Francis. He publicly dismissed the French envoy, whom he had formerly allowed, notwithstanding the war, to reside at London: but upon the regent of France's submissive applications to him, he again opened a correspondence with her; and, besides assuring her of his friendship

and protection, he exacted a promise, that she never would consent to the dismembering of any province from the monarchy for her son's ransom. With the emperor, however, he put on the appearance of vigour and enterprize; and in order to have a pretence for breaking with him, he dispatched Tostat, bishop of London, to Madrid, with proposals for a powerful invasion of France. He required that Charles should enter Guienne at the head of an army, in order to put him in possession of that province; and he demanded the payment of large sums of money which that prince had borrowed from him in his last visit at London. He knew that the emperor was in no condition of fulfilling either of these demands; and that he had as little inclination to make him master of such considerable territories upon the frontiers of Spain. Tostat informed his master, that Charles, on his part, urged several complaints against England, and, in particular, was displeased with Henry, because last year he had neither continued his monthly payments to Bourbon, nor invaded Picardy, according to his stipulations: Tostat added, that instead of expressing an intention to espouse Mary when she should be of age, the emperor had hearkened to proposals for marrying his niece Isabella, princess of Portugal; and that he had entered into a separate treaty with Francis, and seemed determined to reap alone all the advantages of the success with which fortune had crowned his arms. Henry, influenced by these motives, concluded at Moore, on the 30th of August, his alliance with the regent of France, and engaged to procure her son his liberty on reasonable conditions: the regent also, in another treaty, acknowledged the kingdom Henry's debtor for one million eight hundred thousand crowns, to be discharged in half yearly payments of fifty thousand crowns: after which Henry was to receive during life a yearly pension of a hundred thousand. A large present of a hundred thousand crowns was also made to Wolsey for his good offices, but covered under the pretence of arrears due on the pension granted him for relinquishing the bishopric of Tournay.

Henry imagining that this treaty with France would involve him in a war with the emperor, was determined to fill his coffers by impositions upon his subjects; but as the parliament had discovered some reluctance in complying with his demands, he followed the counsel of Wolsey, and resolved to make use of his prerogative for that purpose. He issued commissions to all the counties of England for levying four shillings in the pound upon the clergy, three shillings and four-pence upon the laity; and so uncontrollable did he deem his authority, that he took no care to cover, as formerly, this arbitrary exaction, even under the slender pretence of a loan. But he soon found that he had presumed too far on the passive submission of his subjects. The people displeased with this exorbitant exaction, murmured, complained, and opposed the commissioners, insomuch that their refractory disposition seemed to threaten a general insurrection. Henry dreading the consequences, sent letters to all the counties, declaring that he meant no force by this last imposition, and that he would take nothing from his subjects but by the way of benevolence. He flattered himself, that this condescension in employing that disguise would satisfy the people, and that no one would dare to render himself noxious to royal authority, by refusing any payment required in this manner. But the spirit of opposition once roused, could not so easily be quieted. A lawyer in the city objecting the statute of Richard III. by which benevolences were

\* tempted to divert the course of the Tese, which ran by one side of the city, and defended it; but an inundation of the river destroyed, in one night, all the mounds which the soldiers, during a long time and with infinite labour, had been erecting. The emperor so ill supported the appearance of moderation, which he at first assumed, that he even changed his usual style to Henry; and, instead of writing to him with his own

hand, and subscribing himself *your affectionate son and cousin*: he dictated his letters to a secretary, and simply subscribed himself Charles. Wolsey also perceived a diminution in the caresses and professions with which the emperor's letters to him were formerly loaded; and this last imprudence, proceeding from the intoxication of success, was probably more dangerous to Charles's interests than the other.



for ever abolished, it was replied by the court, "That Richard being an usurper, and his parliament a factious assembly, his statutes could not bind a lawful and absolute monarch, who held his crown by hereditary right, and needed not to court the favour of a licentious populace." And the judges positively affirmed, "That the king might exact, by commission, any sum he pleased." Armed with the formidable authority of royal prerogative and a pretence of law, Wolsey sent for the mayor of London, and desired to know what he was willing to give for the supply of his majesty's necessities. The mayor seemed desirous, before he should declare himself, to consult the common council: but the cardinal required, that he and all the aldermen should separately confer with himself about the benevolence; and he eluded by that means the danger of a formed opposition. Matters, however, went not so smoothly in the country. An insurrection was begun in some places; but as the people were not headed by any considerable person, it was easy for the duke of Suffolk, and the earl of Surrey, now duke of Norfolk, by employing persuasion and authority, to induce the ring-leaders to lay down their arms and surrender themselves prisoners. The king, finding it dangerous to punish criminals, engaged in so popular a cause, was determined, notwithstanding his violent imperious temper, to grant them a general pardon; and he prudently imputed their guilt, not to their want of loyalty or affection, but to their poverty. The offenders were carried before the star-chamber, where, after a severe charge brought against them by the king's council, the cardinal said, "That notwithstanding their grievous offence, the king, in consideration of their necessities, had granted them his gracious pardon, upon condition that they would find sureties for their future good behaviour." But they replying "they had no sureties," the cardinal first, and after him the duke of Norfolk said, that they would be bound for them; hereupon they were set at liberty.

These impositions were imputed to the counsel of the cardinal; and the clemency of the pardon was ascribed to the king; so that the king was considered as having made atonement on his part, for the illegality of the measure. Notwithstanding this Wolsey, supported both by royal and papal authority, proceeded to violate all ecclesiastical privileges, which, during that age, were much more sacred than civil; and, having once prevailed in that unusual attempt of suppressing some monasteries he kept all the rest in awe, and exercised over them an arbitrary jurisdiction. By his commission as legate, he was empowered to visit them, and reform them, and chastize their irregularities; and he employed his usual agent, Allen, in the exercise of this authority. The religious houses were obliged to compound for their guilt, real or pretended, by paying large sums to the cardinal or his deputy; and this oppression was carried so far, that it reached at last the king's ears, which were not commonly open to complaints against his favourites. Wolsey had built a splendid palace at Hampton-court\*, which he probably intended, as well as that of York-place in Westminster, for his own residence; but fearing the increase of envy on account of this magnificence; and desirous to appease the king, he

made him a present of the building, and told him, that from the first he had erected it for his use.

The affairs of Europe were now alone in such a situation, that it was not safe for England to remain entirely neutral. The feigned moderation of the emperor was of short duration; and it was soon obvious that his great dominions, far from gratifying his ambition, were only regarded as the means of acquiring an empire still more extensive. The terms which he demanded of his prisoner were such as must for ever have annihilated the power of France, and destroyed the balance of Europe. These terms were proposed to Francis soon after the battle of Pavia, while he was detained in Pizzichitona, and as he had hitherto trusted somewhat to the emperor's generosity, the disappointment excited in his breast the most lively indignation. He said, that he would rather live and die a prisoner, than agree to dismember the kingdom; and that even were he so base as to submit to such conditions, his subjects would never permit him to carry them into execution. Francis was encouraged to persist in demanding more moderate terms, by the favourable accounts which he heard of Henry's disposition towards him and of the alarm which had seized the chief powers in Italy upon his defeat and captivity. He was uneasy, however, to be so far distant from the emperor with whom he must treat; and he expressed his desire (which was complied with) to be removed to Madrid, in hopes that a personal interview would operate in his favour, and that Charles, if not influenced by his ministers, might be found possessed of the same frankness of disposition by which he himself was distinguished. He was soon convinced of his mistake: and partly from want of exercise, partly from reflections on his present melancholy situation, he fell into a languishing illness; which begat apprehensions in Charles, lest the death of his captive should bereave him of all those advantages which he proposed to extort from him. He then paid him a visit in the castle of Madrid; and as he approached the bed in which Francis lay, the sick monarch called to him; "You come, Sir, to visit your prisoner." "No," replied the emperor, "I come to visit my brother and my friend, who shall soon obtain his liberty." He soothed his afflictions with many speeches of a like nature, which had so good an effect, that the king daily recovered; and thereupon employed himself in concerting with the ministers of the emperor the terms of the treaty. At last the emperor, dreading a combination against him, was willing to abate somewhat of his rigour; and the treaty of Madrid was signed on the 14th of January, 1526; by which it was hoped an end would be finally put to the differences between these great monarchs †.

On the 18th of March Francis entered his own dominions, and delivered his two eldest sons as hostages into the hands of the Spaniards. He mounted a Turkish horse, and immediately putting him to the gallop, he waved his hand, and cried aloud several times, "I am yet a king." He soon reached Bayonne, where he was joyfully received by the regent and his whole court. He immediately wrote to Henry, acknowledging that to his good offices alone he owed his liberty, and protesting that he should be entirely governed by his counsels in all transactions with the emperor. When the

\* Hampton Court is delightfully situated on the north bank of the river Thames, about two miles from Kingston, and at a small distance from a village called Hampton. Cardinal Wolsey placed here two hundred and eighty silk beds for strangers only, and richly stored with gold and silver plate. King Henry greatly enlarged it, and it had then five spacious courts adorned with buildings, which in that age were so greatly admired, by foreigners as well as natives, that Grotius, speaking of it, says:

"*Si quis nescit (sed quis tamen ille?) Britannus,  
Hamptincusta consulat ille Lares:  
Contulerit toto cum sparsa palatia mundo,  
Dicet ibi Reges, hic habitare Deos.*"

THAT IS:

"If any one (but who can he be?) should not know what British wealth is, let him repair to Hampton Court, and when he shall have viewed all the palaces of the earth, he will say, Those are the residences of kings, but this of the gods."

† The principal condition was, the restoring of Francis's liberty, and the delivery of his two eldest sons as hostages to the emperor for the cession of Burgundy: if any difficulty should afterwards occur in the execution of this last article, from the opposition of the states either of France or of that province, Francis stipulated, that in six years time he should return to his prison, and remain there till the full performance of the treaty.



Spanish envoy demanded his ratification of the treaty of Madrid, now that he had fully recovered his liberty, he declined the proposal, under colour that it was previously necessary to assemble the states both of France and of Burgundy, and to obtain their consent. The states of Burgundy soon met, and declaring against the clause which contained an engagement for alienating their province, they expressed their resolution of opposing, even by force of arms, the execution of so ruinous and unjust an article. The imperial minister then required that Francis, in conformity to the treaty of Madrid, should now return to his prison; but the French monarch, instead of complying, made public the treaty, which a little before he had secretly concluded at Cognac, against the ambitious schemes and usurpations of the emperor.

Pope Clement, the Venetians, and other Italian states who were interested in these events, had been held in the most anxious suspense with regard to the resolution which Francis should take after the recovery of his liberty; and the pope in particular, had offered him a dispensation from all his oaths and engagements. Francis remained not in suspense, but entered immediately into the confederacy proposed to him. It was stipulated by that king, the pope, the Venetians, the Swiss, the Florentines, and the duke of Milan, among other articles, "that they would oblige the emperor to deliver up the two princes of France on receiving a reasonable sum of money; and to restore Milan to Sforza, without farther condition or incumbrance." The king of England was invited to accede, not only as a contracting party, but as protector of the holy league, as it was called: and if Naples should be conquered from the emperor, in prosecution of this confederacy, it was agreed, that Henry should enjoy a principality in that kingdom of the yearly revenue of thirty thousand ducats; and that cardinal Wolf v, in consideration of the services which he had rendered to Christendom, should also, in such an event, be put in possession of a revenue of ten thousand ducats. Francis was desirous, that the appearance of this confederacy should engage the emperor to relax somewhat in the rigour of the treaty of Madrid; and while he entertained these hopes, he was the more remiss in his warlike preparations; nor did he send in due time reinforcement to his allies in Italy. The duke of Bourbon had got possession of the whole Milanese, in the beginning of 15.7. of which the emperor intended to grant him the investiture; and having levied a considerable army in Germany, he became formidable to all the Italian potentates: and not

the less so because Charles had not been able to remit any pay to the forces\*. Rome was shortly after taken together with the pope, and when intelligence of that event was conveyed to the emperor Charles, habituated to hypocrisy, expressed the most profound sorrow for the success of his arms: he put himself and all his court in mourning: he stopped the rejoicings for the birth of his son Philip: and knowing that every article, however gross, is able, when seconded by authority, to impose upon the people, he ordered prayers during several months to be put up in the churches for the pope's liberty; which every one knew could have been effected by a single letter under his own hand. The concern expressed by Henry and Francis for the calamity of their ally was more sincere. These two monarchs had concluded a treaty on the 30th of April at Westminster, in which, besides renewing former alliances, they agreed to send ambassadors to Charles, requiring him to accept of two millions of crowns as the ransom of the French princes, and to repay the money borrowed from Henry; and in case of refusal the ambassadors, attended by heralds, were ordered to denounce war against him†. No sooner did the monarchs receive intelligence of Bourbon's enterprize, than they changed, by a new treaty on the 29th of May, the scene of the projected war from the Netherlands to Italy; and hearing of the pope's captivity, they were farther stimulated to undertake the war with vigour for liberating the pontiff. Wolsey himself crossed the sea, in order to have an interview with Francis, and to concert measures for that purpose; and he displayed all that grandeur and magnificence with which he was so much intoxicated‡.

In order to cement the union between these princes the more strongly, a new treaty was concluded at London on the 13th of September; in which Henry agreed finally to renounce all claims to the crown of France; which might well be deemed chimerical, but which often served as a pretence for exciting the unwearied English to wage war upon the French nation. In return for this concession, Francis bound himself and his successors to pay for ever fifty thousand crowns a year to Henry and his successors; and that greater solemnity might be given to this treaty, it was agreed, that the parliaments and great nobility of both kingdoms should give their assent to it§. This union between France and England, was not able to bend the emperor to submit entirely to the conditions insisted on by the allies. He departed indeed from his demands of Burgundy as the ransom of the French princes; but he required, previously to their liberation, that Francis should evacuate

\* The general was extremely beloved by his troops; and in order to prevent those mutinies which were ready to break out every moment, and which their affection for him had hitherto restrained, he led them to Rome, and promised to enrich them by the plunder of that opulent city. He was himself killed as he was planting a scaling-ladder against the walls, on the 6th of May; but his soldiers, rather enraged than discouraged by his death, mounted to the assault with the utmost valour, and entering the city sword in hand, exercised all their brutalities which may be expected from ferocity excited by resistance, and from insolence which takes place when that resistance is no more. This city, exposed by her renown alone to so many calamities, never endured, in any age, even from the barbarians, by whom she was often subdued, such indignities as she was now compelled to suffer. The unrestrained massacre and pillage, which continued for several days, were the least ills to which the unhappy Romans were exposed. Whatever was respectable in modesty, or sacred in religion, seemed but the more to provoke the insults of the soldiery. Virgins suffered violation in the arms of their parents, and upon those very altars to which they had fled for protection. Aged prelates, after enduring every indignity, and even every torture, were thrown into dungeons, and menaced with the most cruel death, in order to make them reveal their secret treasures, or purchase liberty by exorbitant ransoms. Clement himself, who had trusted to the sacredness of his character, and expected to make his escape in time, was taken captive; and that his dignity, which procured him no regard from the Spanish soldiers, did but draw on him the insolent mockery of the Germans, who being generally attached to the Lutheran

principles, were pleased to gratify their animosity by the abasement of the sovereign pontiff.

† This war it was agreed to prosecute in the Low Countries, with any army of thirty thousand infantry, and fifteen hundred men at arms, two-thirds to be supplied by Francis, the rest by Henry. And in order to strengthen the alliance between the princes, it was stipulated that either Francis, or his son the duke of Orleans, as should afterwards be agreed on, should espouse the princess Mary, Henry's daughter.

‡ He was attended by a train of a thousand horse. The cardinal of Lorraine, and the chancellor Alençon, met him at Boulogne: Francis himself, besides granting to that haughty prelate the power of giving in every place where he came liberty to all prisoners, made a journey as far as Amiens, to meet him, and even advanced some miles from the town, the more to honour his reception. It was here stipulated, that the duke of Orleans should espouse the princess Mary, and as the emperor seemed to be taking some steps towards assembling a general council, the two monarchs agreed not to acknowledge it; but during the interval of the pope's captivity to govern the churches in their respective dominions by their own authority. Wolsey made some attempts to get his legantine power extended over France, and even over Germany; but finding his efforts fruitless, he was obliged, through with great reluctance, to desist from these ambitious enterprizes.

§ The marshal Montmorency, accompanied by many persons of distinction, and attended by a pompous equipage, was sent over to ratify the treaty; and was received at London with all the parade which suited the solemnity of the occasion.

Genoa,



Genoa, and all the fortresses held by him in Italy: and he declared his intention of bringing Sforza to a trial, and confiscating the duchy of Milan, on account of his pretended treason. The English and French heralds, therefore, according to agreement, declared war against him, and set him at defiance. Charles answered the English herald with moderation; but to the French he reproached his master with breach of faith, reminded him of the private conversation which had passed between them at Madrid before their separation, and offered to prove, by single combat, that he had acted dishonourably. Francis retaliated this challenge, by calling Charles a falsifier; and after demanding security of the field, he offered to maintain his cause by single combat. Many messengers passed to and fro between them; and though both princes were undoubtedly brave, the intended duel never took place. The French and Spaniards during that age, zealously disputed which of the monarchs incurred the blame of this failure; but all men of moderation every where lamented the power of fortune, that the prince, the more candid, generous, and sincere, should by unhappy incidents have been reduced to so cruel a situation, that nothing but his violation of treaty could preserve his people, and that he must ever after, without being able to make a proper reply, bear to be reproached with breach of promise by a rival, inferior to him both in honour and in virtue.

Though the challenge between Charles and Francis had no immediate consequence with regard to these monarchs themselves, it produced a considerable alteration of the manners of the age\*.

Notwithstanding the deference paid to papal authority before the reformation, the marriage of Henry with Katharine of Arragon, his brother's widow, had not passed without much scruple and difficulty. The prejudices of the people were in general bent against a conjugal union between such near relations; and the late king, though he had betrothed his son when that prince was but twelve years of age, gave evident proofs of his intention to take afterwards a proper opportunity of annulling the contract. He ordered the young prince, as soon as he came of age, to enter a protestation against the marriage; and on his death-bed he charged him, as his last injunction, not to finish an alliance so unusual and exposed to such insuperable objections. After the king's accession some members of the privy-council, particularly Warham the primate, openly declared against the resolution of completing the marriage; and though Henry's youth and dissipation kept him during some time from entertaining any scruples with regard to the measure which he had embraced, there happened incidents sufficient to rouse his attention, and to inform him of the sentiments generally entertained on that subject. The states of Castile had opposed the emperor Charles's espousal with Mary, Henry's daughter; and had insisted on the illegitimacy of the young princess. And when the negotiations were afterwards opened with France, and mention was made of betrothing her to Francis, or the duke of Orleans, the bishop of Tarbe, the French ambassador, revived the same objection†. But though these events raised some doubts in Henry's

mind, there concurred other causes, which tended to increase his remorse, and render his conscience more scrupulous. The queen was six years older than the king; and the decay of her beauty, together with particular infirmities and diseases, had contributed, notwithstanding her blameless character and deportment, to render her person unacceptable to him. Though she had borne him several children, they all died in early infancy, except one daughter; and he was the more struck with this misfortune, because the curse of being childless is the very threatening contained in the Mosiacal law against those who espouse their brother's widow. The succession too of the crown was a consideration that occurred to every one, whenever the legality of Henry's marriage was called in question; and it was apprehended, that if doubts of Mary's legitimacy concurred with the weakness of her sex, the king of Scotland, the next heir, would advance his pretensions, and might throw the kingdom into confusion. The evils, of civil wars and convulsions, arising from a disputed title, made great impression on the minds of men, and to seek the dissolution of his inauspicious, and, as it was esteemed, unlawful marriage with Katharine. Henry afterwards declared that his scruples arose from the private reflection; and that, on consulting his confessor the bishop of Lincoln, he found the prelate possessed with the same doubts and difficulties. The king himself, being a great casuist and divine, next proceeded to examine the question more carefully by his own learning and study; and having had recourse to Thomas Aquinas, he observed, that this celebrated doctor, whose authority was great in the church, and absolute with him, had treated of that very case, and had expressly declared against the lawfulness of such marriages. The prohibitions, said Thomas, contained in Leviticus, and among the rest, that of marrying a brother's widow, are mortal, eternal, and founded on a divine sanction, and though the pope may dispense with the rules of the church, the laws of God cannot be set aside by any authority less than that which enacted them. The archbishop of Canterbury was then applied to; and he was required to consult his brethren: all the prelates of England, except Fisher, bishop of Rochester, unanimously declared, under their hand and seal, that they deemed the king's marriage unlawful‡. Wolsey also fortified the king's scruples§; partly with a view of promoting a total breach with the emperor, Katharine's nephew; partly desirous of connecting the king more closely with Francis, by marrying him to the duchess of Alençon, sister to that monarch; and perhaps, too, somewhat disgusted with the queen herself, who had reproved him for certain freedoms not becoming his character and station||. But Henry was carried forward, though perhaps not at first excited, by a motive more forcible than even the suggestions of that powerful favourite.

A little before this time Anne Boleyn appeared at court, as maid of honour to the queen; and having had frequent opportunities of being seen by Henry, and of conversing with him, she had acquired an entire ascendant over his affections\*\*. The king, becoming enamoured

\* The practice of challenges and duels, which had been part of the ancient barbarous jurisprudence, which was still preserved on solemn occasions, and which was sometimes countenanced by the civil magistrate, began thenceforth to prevail in the most trivial incidents; and men, on any affront or injury, thought themselves entitled, or even required in honour, to make revenge on their enemies, by openly vindicating their rights in single combat. These absurd maxims, shed much of the best blood in Christendom during more than two centuries; and notwithstanding the severity of law, and authority of reason, such is the prevailing force of custom, they are far from being as yet entirely exploded.

† Rymer, vol. xiv. p. 192, 203.

‡ Burnet, vol. 1. p. 38. Stowe, p. 548.

§ Le Grand, vol. 111. p. 46, 166, 168. Saunders. Heylin, p. 4.

|| Burnet, vol. 1. p. 38. Strype, vol. 1. p. 88.

\*\* This young lady, whose grandeur and misfortune have rendered her so celebrated, was daughter of Sir Thomas Boleyn, who had been employed by the king in several embassies, and who was allied to all the principal nobility in the kingdom. His wife, mother to Anne, was daughter of the duke of Norfolk; his own mother was daughter of the earl of Ormonde; his grandfather, Sir Geoffrey Boleyn, who had been mayor of London, had espoused one of the daughters and co-heirs of lord Hastings. Anne herself, though then in her youth, had been carried over to Paris by the king's sister, when the princess espoused Lewis XII. of France; and upon the death of that monarch, and the return of his dowager into England, this damsel, whose accomplishments even in her childhood were always much admired, was retained in the service of Claude, queen of France, spouse to Francis; and after the death of that princess she passed into the family of the duchess of Alençon, a woman of singular merit. The court was



moured of her was the more desirous of a divorce from Catharine, and as his prospect of success was inviting, he resolved to make application to Clement, and he sent Knight, his secretary, to Rome for that purpose. That he might not shock the haughty claims of the pontiff, he resolved not to found the application on any general doubts concerning the papal power to permit marriage in the nearer degrees of consanguinity; but only to insist on particular grounds of nullity in the bull which Julius had granted for the marriage of Henry and Catharine\*. Julius's bull, when examined, afforded abundant matter of this kind; and any tribunal favourable to Henry need not to want a specious colour for gratifying him in his applications for a divorce. It was said in the preamble, that the bull had been granted upon his solicitation, though it was known that at that time he was under twelve years of age: it was also affirmed, as another motive for the bull, that the marriage was requisite, in order to preserve peace between the two crowns; though it appears that there was not than any ground or appearance of quarrel between them. These false premises in Julius afforded Clement a sufficient reason or pretence for annulling it, and granting Henry a dispensation for a second marriage†. But though the pretext for this indulgence had been less plausible, the pope was in such a situation that he had the strongest motives to embrace every opportunity of gratifying the English monarch. He was then a prisoner in the hands of the emperor, and had no hopes of recovering his liberty on any reasonable terms, except by the efforts of the league which Henry had formed with Francis and the Italian powers, in order to oppose the ambition of Charles. When the English secretary, therefore solicited him in private, he received a very favourable answer, and a dispensation was promised to be granted to his master. Soon after, the march of a French army into Italy, under the command of Lautrec, obliged the Imperialists to restore Clement to his liberty; and he retired to Oviotto, where the secretary, with Sir Gregory Cassali, the king's resident at Rome, renewed their applications to him. They still found him full of professions of friendship and gratitude to the king; but not so prompt in granting his request as they expected. The emperor, who had received intelligence of Henry's application to Rome, had exacted a promise from the pope, to take no steps in the affair before he communicated them to the Imperial ministers; and Clement, embarrassed by this promise, and overawed by the Emperor's forces in Italy, seemed willing to postpone the concessions desired by Henry. The English ministers, however, importuned his holiness, in so much, that he put into their hands a commission to Wolsey, as legate, in conjunction with the archbishop of Canterbury, or any other English prelate, to examine the validity of the king's marriage, and of Julius's dispensation: he likewise granted them a provisional dispensation for the king's marriage with any other person; and promised to issue a decretal bull, annulling the marriage with Catharine‡.

Henry received the commission of dispensation from his ambassadors, in the beginning of 1528, and was informed of the pope's advice. He laid the whole before his ministers, and asked their opinion in so delicate a situation. The English counsellors considered the danger of proceeding in the manner pointed out to them. Should the pope refuse to ratify a deed, which he might justly call precipitate and irregular, and should he disavow the advice which he gave in so clandestine a manner, the king would find his second marriage totally invalidated; the children, which it might bring him, declared illegitimate; and his marriage with Catharine more firmly rivetted than ever. And Henry's apprehensions of the possibility, or even probability, of such an event, were confirmed when he reflected on the character and situation of the sovereign pontiff; he being then a prisoner to the emperor.

Charles, having received intimation of the timid disposition of the pope, threw out perpetual menaces of summoning a general council; which he represented as necessary to reform the church, and correct those abuses which the ambition and avarice of the court of Rome had introduced into every branch of ecclesiastical administration. The power of the sovereign pontiff himself, he said, required limitation; his conduct called aloud for amendment; and even his title to the throne which he filled might justly be called in question§. While Charles terrified the pope with these menaces, he allured him by hopes which were no less prevalent over his affections. When the emperor's forces sacked Rome, and reduced Clement to captivity, and the Florentines, passionate for their ancient liberty, had taken advantages of his distresses, and, revolting against the family of Medicis, had entirely abolished their authority in Florence, and re-established the democracy. The better to protect themselves in their freedom, they had entered into the alliance with France, England, and Venice, against the emperor; and Clement found, that, by this interest, the hands of his confederates were tied from assisting him in the restoration of his family; the event which, of all others, he most passionately desired. The emperor alone, he knew, was able to effect this purpose; and therefore, whatever professions he made of fidelity to his allies, he was always ready to embrace every proposal of a cordial reconciliation with that potentate.

These views of the pope were well known in England: and as the opposition of the emperor to Henry's divorce was foreseen as well on account of the honour of Catharine his aunt, as the motive of distressing an enemy, it was deemed dangerous to take any measure of consequence, in expectation of the subsequent concurrence of a man of Clement's character, whose behaviour contained great duplicity, and who was at present but little at his own disposal. The safest measure seemed to consist in previously engaging him so far, that he could not afterwards recede, and in making use of his present ambiguity and uncertainty, to extort the most

when she returned to England is not perfectly known; but it was after the king had entertained doubts with regard to the lawfulness of his marriage with Catharine; if the account is to be credited which he himself afterwards gave of that transaction, Henry's scruple had made him break off all conjugal commerce with the queen; but as he still supported an intercourse of civility and friendship with her, he had occasion, in the frequent visits which he paid her, to observe the beauty, the youth, the charms of Anne Boleyn. Finding the accomplishments of her mind no wife inferior to her exterior graces, he even entertained the design of raising her to the throne; and was the more confirmed in this resolution, when he found that her virtue and modesty prevented all hopes of gratifying his passion in any other manner.

\* It was a maxim in the court of Rome, that if the pope be surprized into any concession, or grant any indulgence upon false suggestions, the bull may afterwards be annulled; and this pretence had usually been employed wherever one pope had recalled any deed executed by any of his predecessors.

† Collier, Eccles. Hist. vol. 11. p. 25. from the Cott. Lib. Vitell. p. 9.

No. XXXVII.

‡ So great was the pope's fear of the emperor, that he represented to them the dangerous consequences which must ensue to him, if these concessions should come to the emperor's knowledge; and he conjured them not to publish those papers, or make any further use of them, till his affairs were in such a situation as to secure his liberty and independence. And his secret advice was, whenever they should find the proper time for opening the scene, that they should prevent all opposition, by proceeding immediately to a conclusion, by declaring the marriage with Catharine invalid, and by Henry's instantly espousing some other person. Nor would it be so difficult, he said, for himself to confirm these proceedings after they were passed, as previously to render them valid by his consent and authority. Cott. Libb. Vitell. B. 10.

§ It must be observed, that that pope had always passed for the natural son of Julian of Medicis, who was of the sovereign family of Florence; and though Leo X. his kinsman had declared him legitimate, upon a pretended promise of marriage between his father and mother, few believed that declaration to be founded on any just reason or authority.



important concessions from him. For this purpose, Stephen Gardiner, the cardinal's secretary, and Edward Fox, the king's almoner, were dispatched to Rome on the 10th of February, and were ordered to solicit a commission from the pope, of such a nature as would oblige him to confirm the sentence of the commissioners, whatever it should be, and disable him to recall the commission, or avoke the cause to Rome. But the same reasons which made the king so desirous of obtaining this concession, caused the pope to refuse it. He therefore granted a new commission, in which cardinal Campeggio \* was joined to Wolsey, for the trial of the king's marriage; but he could not be prevailed on to insert the clause desired of him: and though he put into Gardiner's hand a letter, promising not to recall the present commission; this promise was found, on examination, to be couched in such ambiguous terms as left him still the power of abandoning his word, whenever a fit opportunity should offer,

Campeggio being arrived in England, exhorted the king to desist from prosecuting his divorce; but finding that this counsel gave offence, he said, that his intention was also to exhort the queen to take the vows in a convent, as he thought it his duty previously to attempt an amicable composition of all differences. The more to pacify the king, he shewed to him, as also to the cardinal, the decretal bull, annulling the former marriage with Catharine; but no intreaties whatever could prevail on him to acquaint any other of the king's council with the circumstance †.

The ambiguous behaviour of the pope and the legate, kept the court of England in suspense, and determined the king to wait with patience the issue of such uncertain councils. Shortly after, in 1529, Clement was seized with a dangerous illness, and the intrigues for electing his successor began already to take place among the cardinals. Wolsey in particular, supported by the interest of England and of France, entertained hopes of being seated in St. Peter's chair; and it appears, that if a vacancy had then happened, there was a probability of his reaching that summit of his ambition. But the pope recovered, though after several relapses; and he returned to the same train of false and deceitful politics, by which he had hitherto amused the court of England. He still flattered Henry with professions of the most cordial attachment, and promised him a sudden and favourable issue to his process: he still continued his secret negotiations with the emperor, and persevered in the resolution of sacrificing all his promises, and all the interests of the Romish religion, to the elevation of his family. Campeggio, who was perfectly acquainted with his views and intentions, protracted the decision by the most artful delays; and gave Clement full leisure to adjust all the terms of his treaty with Charles, who was well acquainted with the king's earnestness in this affair, was determined that he should obtain success by no other means than by an application to him, and by deserting his alliance with Francis, which had hitherto supported the tottering state of the French monarchy. He willingly hearkened to the applications of Catharine, his aunt; and promising her his utmost protection, exhorted her not to yield to the malice and persecutions of her enemies. The queen herself, naturally of a firm and resolute temper, was engaged by every motive to persevere in protesting against the justice to which she

thought herself exposed. The imputation of incest, which was thrown upon her marriage with Henry, struck her with the highest indignation: the illegitimacy of her daughter, which seemed a necessary consequence, gave her the most just concern: the reluctance of yielding to a rival, who, she believed, had supplanted her in the king's affections, was a very natural motive. Actuated by all these considerations, she ceased not to solicit her nephew's assistance, and earnestly intreated an evocation of the cause to Rome, where alone she thought she could expect justice; and the emperor, in all his negotiations with the pope, made the recall of the commission which Campeggio and Wolsey exercised in England, a fundamental article.

In the mean time the two legates, opened their courts at London, and cited the king and queen to appear before it. They both presented themselves; and the king answered to his name when called: but the queen, instead of answering to hers, rose from her seat, and throwing herself at the king's feet, made a very pathetic harangue, which her virtue, her dignity, and her misfortunes, rendered the more affecting. She told him, "That she was a stranger in his dominions, without protection, without council, without assistance; exposed to all the injustice which her enemies were pleased to impose upon her: that she had quitted her native country without any other resource than her connections with him and his family, and had expected that, instead of suffering thence any violence or iniquity, she was assured in them of a safeguard against every misfortune: that she had been his wife during twenty years, and would here appeal to himself, whether her affectionate submission to his will had not merited better treatment, than to be thus, after so long a time, thrown from him with so much indignity: that she was conscious, [he himself was assured,] that her virgin honour was yet unstained, when he received her into his bed, and that her connections with his brother had been carried no farther than the ceremony of marriage: that their parents, the king of England and Spain, were esteemed the wisest princes of their time, and had undoubtedly acted by the best advice, when they formed the agreement for that marriage, which was now represented as so criminal and unnatural: and that she acquiesced in their judgement, and would not submit her cause to be tried by a court, whose dependance on her enemies was too visible, ever to allow her any hopes of obtaining from them an equitable or impartial decision." Having spoken these words, she rose, and making the king a low reverence, she departed from the court, and never would again appear in it. After her departure, the king acknowledged, "That she had ever been a dutiful and affectionate wife, and that the whole tenor of her behaviour had been conformable to the strictest rules of probity and honour." He only insisted on his scruples with regard to the legality of their marriage, and he explained the origin, the progress, and the foundation of those doubts, by which he had been so long and so violently agitated. He acquitted cardinal Wolsey from having any hand in encouraging his scruples; and he craved a sentence of the court agreeable to the justice of his cause. The legate, after citing the queen a new, declared her "contumacious," notwithstanding her appeal to Rome: and then proceeded to the examination of the cause ‡. The trial which was

chiefly

\* Campeggio lay under some obligations to the king; but his dependance on the pope was so much greater, that he conformed himself entirely to the views of the latter; and though he received his commission in April, he declared his departure, so that it was October before he arrived in England.

† In order to atone for this obliquity, he expressed to the king and the cardinal, the pope's great desire of satisfying them in every reasonable demand; and in particular, he shewed, that their request for suppressing some more monasteries, and converting them into cathedrals and episcopal sees, had obtained the consent of his holiness. Rymer, vol. xiv. p. 270, Strype, vol. 1. p. 110, 111. Append. No. 28.

‡ The first point which came before them, was the proof of prince Arthur's consummation of his marriage with Catharine; and it must be confessed, that no stronger arguments could reasonably be expected of such a fact after so long an interval. The age of the prince, who had passed his fifteenth year, the good state of his health, the long time that he had cohabited with his consort, many of his expressions to that very purpose; all these circumstances form a violent presumption in favour of the king's assertion. Henry himself, after his brother's death, was not allowed for some time to bear the title of Prince of Wales, in expectation of their pregnancy, the Spanish ambassador, in order the better to ensure possession of her jointure, had



Engraved for *Robertson's History of England.*



*The Dukes of Norfolk and Suffolk, by the order of Henry VIII. demanding the Great Seal of Cardinal Wolsey.*

Published by W. S. & A. Woodcock, 57 St. Martin's Lane, July 29, 1820.



chiefly conducted by Campeggio, was spun out till the 23d of July. Wolsey, though the eldest cardinal, permitted him to act as president in the court; because it was thought that a trial managed by an Italian cardinal, would carry the appearance of greater candour, than if the king's own minister and favourite had presided in it. The business seemed now to be drawing to a period; and the king was every day in expectation of a sentence in his favour; when, to his great surprize, Campeggio suddenly, without any warning, and upon very frivolous pretences, prorogued the court till the 1st of October; and the evocation, which came a few days after from Rome, put an end to all the hopes of success which the king had long and anxiously cherished.

While the trial was carried on before the legates at London, the emperor had, by his ministers, earnestly solicited Clement to evoke the cause; and had employed every topic of hope or terror which could operate either on the ambition or timidity of the pontiff. The English ambassadors, on the other hand, in conjunction with the French, had been no less earnest in their applications, that the legates should be allowed to finish the trial; but though they employed the same engines of promises and menaces, the motives which they could set before the pope were not so urgent or immediate as those which were held up to him by the emperor. The dread of losing England, and of fortifying the Lutherans by so considerable an accession, made small impression upon Clement's mind, in comparison of the anxiety for his personal safety, and the desire of restoring the Medicis to their dominion in Florence. As soon, therefore, as he had adjusted matters with the emperor, he laid hold of the pretence of justice, and suspending the commission of the legates, he adjourned the cause to his own personal judgement at Rome. Campeggio had, before-hand, received private orders, delivered by Campana, to burn the decretal bull with which he was entrusted. Wolsey had long foreseen that this measure would be the forerunner of his ruin. Though he had at first desired that the king should rather marry a French princess than Anne Boleyn, he had employed himself with the utmost assiduity and earnestness to bring the affair to a happy issue. But he had sufficient experience of the extreme ardour and impatience of Henry's temper, who could not bear to be contradicted, and who was wont, without examination or distinction, to make his ministers answerable for the success of those transactions with which they were entrusted. Anne Boleyn also, who was prepossessed against him, had imputed to him the failure of her hopes; and as she was newly returned to court, whence she had been removed from a regard to decency during the trial before the legates, she had naturally acquired an additional influence on Henry, and she served much to fortify his prejudices against the cardinal. Even the queen and her partizans, judging of Wolsey by the part which he had openly acted, had expressed great animosity against him; and the most opposite factions seemed now to combine in the ruin of this haughty minister. The high opinion itself, which Henry had entertained of the cardinal's capacity, tended to hasten his downfall; while he imputed the bad success of that minister's undertakings, not to ill fortune, or to mistake, but to the malignity or infidelity of his intentions. The blow, however, fell not instantly on his head. The king, who

probably could not justify, by any good reason, his alienation from his ancient favourite, seems to have remained some time in suspense; and he received him, if not with all his former kindness, at least with the appearance of trust and esteem.

The king, however, was determined to bring on the ruin of the cardinal with a motion almost as precipitate as he had formerly employed in his elevation. The dukes of Norfolk and Suffolk were sent on the 18th of October, to require the great seal from him; and on his scrupling to deliver it without a more express warrant, Henry wrote him a letter, upon which it was surrendered, and it was delivered by the king to Sir Thomas More, a person who, besides the ornaments of an elegant literature, possessed the highest virtue and integrity. Wolsey was ordered to depart from York-Place, a palace which he had built in London, and which, though it really belonged to the see of York, was seized by Henry, and became afterwards the residence of the kings of England, by the title of Whitehall. All his furniture and plate were also seized: their riches and splendour befitted rather a royal than a private fortune. The walls of his palace were covered with cloth of gold or cloth of silver: he had a cupboard of plate of massy gold: there were found a thousand pieces of fine Holland belonging to him. The rest of his riches and furniture was in proportion, and many believed his opulence was a small inducement to his persecution. The cardinal was ordered to retire to Esher, a country seat which he possessed near Hampton-Court\*. The smallest appearance of his return to favour threw him into transports of joy unbecoming a man. The king had seemed willing, during some time, to intermit the blow which overwhelmed him. He granted him his protection, and left him in possession of the sees of York and Winchester. He even sent him a message accompanied with a ring, as a testimony of his affection. Wolsey, who was on horseback when the messenger met him, immediately alighted; and throwing himself on his knees in the mire, received, in that humble attitude, these marks of his majesty's gracious disposition towards him. But his enemies, who dreaded his return to court, never ceased acquainting the king with his several offences; and Anne Boleyn in particular, contributed her endeavours in conjunction with her uncle the duke of Norfolk, to exclude him from all hopes of being reinstated in his former authority. He dismissed, therefore, his numerous retinue; and as he was a beneficent master, the separation passed not without a plentiful effusion of tears on both sides. The king's heart, notwithstanding some gleams of kindness, seemed now quite hardened against his old favourite. He ordered him to be indicted in the star chamber, where a sentence was passed against him. And, not content with this severity, he abandoned him to all the rigour of the parliament, which after a long interval, was again assembled, in November. The house of lords voted a long charge against Wolsey, consisting of forty-four articles; and accompanied it with an application to the king for his punishment, and his removal from all authority. Little opposition was made to this change in the upper house: no evidence of any part of it was so much as called for; and as it chiefly consists of general accusations, it was scarcely susceptible of any †. The articles were sent down to the house of

had sent over to Spain proofs of the consummation of her marriage: Julius's bull itself was founded on the supposition, that Arthur had perhaps had knowledge of the princess: in the very treaty, fixing Henry's marriage, the consummation of the former marriage with prince Arthur is acknowledged on both sides. These particulars were all laid before the court; accompanied with many reasonings concerning the extent of the pope's authority, and against his power of granting a dispensation to marry within the prohibited degrees. Campeggio heard these doctrines with great impatience; and, notwithstanding his resolution to protract the cause, he was often tempted to interrupt and silence the king's counsel, when they insisted on such disagreeable topics.

\* The world that had paid him such abject court during his prosperity, deserted him on this reverse of fortune. He himself was much dejected with the change; and from the same turn of mind which had made him be so vainly elevated with his grandeur, he felt the stroke of adversity with double vigour.

† The first article of the charge against the cardinal, is his procuring the legantine power, which, however, as it was certainly done with the king's consent and permission, could be no wise criminal. Many of the other articles impute to him as crimes, particular actions which were natural or unavoidable to any man that was prime minister with so unlimited an authority; such as receiving first all letters from the king's ministers



commons, where Thomas Cromwell, formerly a servant of the cardinal's, and who had been raised by him from a very low station, defended his unfortunate patron with such spirit, generosity, and courage, as acquired him great honour, and laid the foundation of that favour which he afterwards enjoyed with Henry.

The cardinal's enemies finding that either his innocence or his caution prevented them from having any just ground of accusing him, had recourse to an extraordinary expedient. An indictment was laid against him; that, contrary to a statute of Richard II. commonly called the Statute of Provisors, he had procured bulls from Rome, particularly one investing him with the legantine power, which he had exercised with very extensive authority. He confessed the indictment, pleaded ignorance of the statute, and threw himself on the king's mercy. He was, perhaps, within reach of the law; but besides that this statute had become obsolete, nothing could be more rigorous and severe, than to impute to him as a crime what he had openly, during the course of so many years, practised with the consent and approbation of the king, and the acquiescence of the parliament. Not to mention what he always asserted, and what we can scarcely doubt of, that he had obtained the royal licence in the most formal manner, which, had he not been apprehensive of the dangers attending any opposition to Henry's lawful will, he might have pleaded in his own defence before the judges. Sentence, however, was pronounced against him, "That he was out of the king's protection; his lands and goods forfeited; and that his person might be committed to custody." But this prosecution of Wolsey was carried no farther. Henry even granted him a pardon for all offences; restored him part of his plate and furniture; and still continued to drop expressions of favour towards the cardinal.

The complaints against the usurpations of the ecclesiastics had been long made in England, as well as in most other European nations; and as this topic was become popular, it had paved the way for the Lutheran tenets, and reconciled the people in some measure to the frightful idea of *heresy* and *innovation*. The commons, finding the occasion favourable, passed several bills restraining the impositions of the clergy; one for the regulating of mortuaries; another against the exactions for the probates of wills; a third against non-residence and pluralities, and against churchmen being farmers of land. But what appeared chiefly dangerous to the ecclesiastical order, were the severe invectives thrown out almost without opposition in the house against the dissolute lives of the priests, their ambition, their avarice, and their endless encroachments on the laity: though the first broaching of religious controversy might encourage the sceptical turn in a few persons of a studious disposition; the zeal with which men soon after attached themselves to their several parties, served effectually to banish for a long time all such noxious liberties. The bills for regulating the clergy met with some opposition in the house of lords. Bishop Fisher imputed these measures of the commons to their want of faith; and to a settled resolution derived from heretical and Lutheran principles, of robbing the church of her patrimony, and overturning the national religion. The duke of Norfolk reproved the prelate in severe terms. He told him "that the greatest clerks were not always the wisest men." But Fisher replied, "that he did not

remember any fools in his time who had proved great clerks." The exceptions taken at the bishop of Rochester's speech stopped not there. The commons, by Sir Thomas Audley, their speaker, made complaints to the king of the reflections thrown upon them; and the bishop was obliged to put a more favourable construction on the words which had given offence.

The king was not displeased that the court of Rome and the clergy should be sensible that they were entirely dependant on him, and that his parliament, if he were willing to second their inclinations, was sufficiently disposed to reduce the power and privileges of the ecclesiastics. The commons gratified the king, by granting him a discharge of all those debts which he had contracted since the beginning of his reign; and they grounded their bill on a pretence of the king's great care of the nation, and of his regularly employing all the money which he had borrowed in the public service. Most of the king's creditors consisted of friends to the cardinal, who had been engaged by their patron to contribute to the supply of Henry's necessities; and the present courtiers were pleased to take the opportunity of finding them.

Notwithstanding the war which Henry had made against the emperor, the mutual advantages reaped by the commerce between England and the Netherlands, had engaged him to stipulate a neutrality with those provinces; and except by money contributed to the Italian wars, he had in effect exercised no hostility against any of the Imperial dominions. A general peace was this summer established in Europe.

Anne Boleyn made all her efforts in order to make Henry proceed to extremities against the pope; both as it was the readiest way to her attending royal dignity, and as her education in the court of the duchess of Alençon, a princess inclined to the reformers, had already disposed her to a belief of the new doctrine. But notwithstanding these inducements, Henry had strong motives still to desire a good agreement with the sovereign pontiff. He apprehended the danger of such great innovations: he dreaded the reproach of heresy: he abhorred all connexions with the Lutherans, the chief opponents of the papal power; and having once exerted himself with such applause, as he imagined, in defence of the Romish communion, he was ashamed to retract his former opinions, and betray from passion such a palpable inconsistency. While he was agitated by these contrary motives, an expedient was proposed, which, as it promised a solution of all difficulties, was embraced by him with the greatest joy and satisfaction. Dr. Thomas Cranmer, fellow of Jesus College in Cambridge, was a man remarkable in that university for his learning, and still more for the candour and disinterestedness of his temper. He fell one evening by accident into company with Gardiner, now secretary of state, and Fox, the king's almoner; and as the business of the divorce became the subject of conversation, he observed that the readiest way, either to quiet Henry's conscience, or extort the pope's consent, would be to consult all the universities of Europe with regard to this controverted point. If they agreed to approve of the king's marriage with Catharine, his remories would naturally cease; if they condemned it, the pope would find it difficult to resist the solicitations of so great a monarch, seconded by the opinion of all the learned men in Christendom. While the king was informed of

ministers aboard, receiving first all visits from foreign ministers, desiring that all applications should be made through him. He was also accused of naming himself with the king, as if he had been his fellow, *the king and I*. It is reported that sometimes he even put his own name before the king's, *ego et rex meus*. But this mode of expression is justified by the Latin idiom. It is remarkable that his whispering in the king's ear, knowing himself to be affected with venereal distempers, is an article against him. Many of the charges are general, and incapable of proof. Lord Herbert goes so far as to affirm, that no man ever fell from so high a station who had so few real crimes objected to him. This opinion is perhaps a little

too favourable to the cardinal. Yet the refutation of the articles by Cromwell, and their being rejected by a house of commons, even in this arbitrary reign, is almost a demonstration of Wolsey's innocence. Henry was, no doubt, entirely bent on his destruction, when, on his failure by a parliamentary impeachment, he attacked him upon the Statute of Provisors, which afforded him so little just hold of that minister. For that this indictment was subsequent to the attack in parliament, appears by Cavendish's *Life of Wolsey*, and Stowe, p. 551; and more certainly by the very articles of impeachment themselves.—*Parliamentary History*, vol. III. p. 40, art. 7. *Coke's Instit.* p. 4, fol. 89.



the proposal, he was delighted with it, and swore that "Cranmer had got the right fow by the ear."—He sent for that divine; entered into conversation with him; conceived a high opinion of his virtue and understanding; engaged him to write in defence of the divorce; and immediately, in prosecution of the scheme proposed, employed his agents to collect the judgement of all the European universities.

The marrying of a brother's widow was so unusual, that no other instance of it could be found in any history of any Christian nation; and though the pope's were accustomed to dispense with more essential precepts of morality, and even permitted marriages within other prohibited degrees, the imaginations of men were not yet reconciled to this particular exercise of his authority. Several universities of Europe, therefore, in 1530, gave verdict in the king's favour; not only those of France, Paris, Orleans, Bourges, Toulouse, Angiers, which might be supposed to lie under the influence of their prince, ally to Henry; but also those of Italy, Venice, Ferrara, Padua; even Bologna itself, though under the immediate jurisdiction of Clement. Oxford alone, and Cambridge, made some difficulty; because these universities, alarmed at the progress of Lutheranism, and dreading a defection from the holy see, scrupled to give their sanction to measures whose consequences, they feared, would prove fatal to the ancient religion. Their opinion, however, conformable to that of the other universities of Europe, was at last obtained; and the king, in order to give more weight to all these authorities, engaged his nobility to write a letter to the pope recommending his cause to the holy father, and threatening him with the most dangerous consequences in case of a denial of justice. The convocations too, both of Canterbury and York, pronounced the king's marriage invalid, irregular, and contrary to the law of God, with which no human power had authority to dispense. But Clement, lying still under the influence of the emperor, continued to summon the king to appear, either by himself or proxy, before his tribunal at Rome; and the king, who knew that he could expect no fair trial there, refused to submit to such a condition, and would not even admit of any citation, which he regarded as a high insult, and a violation of his royal prerogative. The father of Anne Boleyn, created earl of Wiltshire, carried to the pope, the king's reasons for not appearing by proxy; and, as the first instance of disrespect from England, refused to kiss his holiness's foot, which he held out to him for that purpose.

The extremities which Henry was pushed to, both against the pope and the ecclesiastical order, were very disagreeable to cardinal Wolsey; and as Henry foresaw his opposition, it is the most probable reason that can be assigned for his renewing the prosecution against his favourite. After Wolsey had remained some time at Elther, he was allowed to remove to Richmond, a palace which he had received as a present from Henry, in return for Hampton-court: but the courtiers, dreading still his vicinity to the king, procured an order for him to remove to his see at York\*.

On the 16th of January, 1531, a new session of parliament was held, together with a convocation; and the king here gave strong proofs of his extensive authority, as well as of his intention to turn it to the depression of the clergy. As an ancient statute, now almost obsolete, had been employed to ruin Wolsey, and render his exercise of the legantine power criminal, notwithstanding the king's permission; the same law was now turned against the ecclesiastics. It was pretended that every one who had submitted to the legantine court, that is, the whole church, had violated the Statute of Provisors; and the attorney-general accordingly brought an indictment against them†. The convocation knew that it would be in vain to oppose reason or equity to the king's arbitrary will, or plead that their ruin would have been the certain consequence of not submitting to Wolsey's commission, which was procured by Henry's consent, and supported by his authority. They chose, therefore, to throw themselves on the mercy of their sovereign; and they agreed to pay one hundred and eighteen thousand eight hundred and forty pounds for a pardon‡. A concession was likewise extorted from them, that "the king was the protector and the supreme head of the church and clergy of England;" though some of them had the dexterity to get a clause inserted, which invalidated the whole submission, and which ran in these terms; "in so far as is permitted by the law of Christ." The commons, finding that a pardon was granted the clergy, began to be apprehensive for themselves, lest they should afterwards be brought into trouble on account of their submission to the legantine court, or a supply in like manner be extorted from them in return for their pardon. They therefore petitioned the king to grant a remission to his lay subjects; but they met with a repulse. He told them, that if he ever chose to forgive their offence, it would be from his own goodness, not from their application, lest he should seem to be compelled to it.

\* The cardinal well knew that it would be in vain to resist; and therefore took up his residence at Cawood in Yorkshire, where he rendered himself popular in the neighbourhood by his affability and hospitality; but he was not allowed to remain long unmolested in this retreat. The earl of Northumberland received orders, without regard to Wolsey's ecclesiastical character, to arrest him for high treason, and to conduct him to London, in order to his trial. The cardinal, partly from the fatigues of his journey, partly from the agitation of his anxious mind, was seized with a disorder which turned into a dysentery; and he was able, with some difficulty, to reach Leicester-abbey. When the abbot and the monks advanced to receive him with much respect and reverence, he told them, that he was come to lay his bones among them; and he immediately took to his bed, whence he never rose more. On the 28th of November, a little before he expired, he addressed himself in the following words to Sir William Kingston, constable of the Tower, who had him in custody: "I pray you, have me heartily recommended unto his royal majesty, and beseech him on my behalf, to call to his remembrance all matters that have passed between us from the beginning, especially with regard to his business with the queen; and then will he know in his conscience whether I have offended him. He is a prince of a most royal carriage, and hath a princely heart; and rather than he will miss or want any part of his will, he will endanger the one half of his kingdom. I do assure you, that I have often knelt before him, sometimes three hours together, to persuade him from his will and appetite; but could not prevail. Had I but served God as diligently as I have served the king, he would not have given me over in my grey hairs. But this is the just reward that I must receive for my indulgent pains  
No. XXXVIII.

and study, not regarding my service to God, but only to my prince. Therefore let me advise you, if you be one of the privy-council, as by your wisdom you are fit, take care what you put into the king's head: for you can never put it out again." Cavendish.—Thus died this famous cardinal, says Hume, whose character seems to have contained as singular a variety as the fortune to which he was exposed. The obstinacy and violence of the king's temper, may alleviate much of the blame which some of his favourite's measures have undergone; and when we consider, that the subsequent part of Henry's reign was much more criminal than that which had been directed by Wolsey's counsels, we shall be inclined to suspect those historians of partiality, who have endeavoured to load the memory of this minister with such violent reproaches. If in foreign politics he sometimes employed his influence over the king for his private purposes, rather than his master's service, which he boasted he had solely at heart; we must remember that he had in view the papal throne; a dignity which, had he attained it, would have enabled him to make Henry a suitable return for all his favours. The cardinal of Amboise, whose memory is respected in France, always made his apology for his own conduct, which was in some respect similar to Wolsey's, and we have reason to think that Henry was well acquainted with the views by which his minister was influenced, and took a pride in promoting them. He much regretted his death, when informed of it; and always spoke favourably of his memory. A proof that humour more than reason, or any discovery of treachery, had occasioned the last persecutions against him.

† Antiq. Brit. Eccles. p. 325. Burnet, vol. 1. p. 106.

‡ Hollingshed, p. 923.



Some time after he issued a pardon to the laity; and the commons expressed great gratitude for that act of clemency.

By this strict execution of the Statute of Provisors, a great part of the profit, and still more of the power of the court of Rome was cut off; and the connections between the pope and the English clergy were in some measure dissolved. The next session which opened on the 15th of January, 1532, found both king and parliament in the same dispositions. An act was passed against levying the annates, or first fruits\*. This session the commons preferred to the king a long complaint against the abuses and oppressions of the ecclesiastical courts; and they were proceeding to enact laws for remedying them; when a difference arose, which put an end to the session before the parliament had finished their business. It was become a custom for men to make such settlements or trust-deeds of their lands by will, that they defrauded not only the king, but all other lords, of their wards, marriages, and reliefs; and by the same artifice the king was deprived of his premier seisin, and the profits of the livery, which were no inconsiderable branches of his revenue. Henry caused a bill to be drawn to moderate, not remedy altogether, this abuse: he was contented that every man should have the liberty of disposing in this manner of the half of his land; and he told the parliament in plain terms, "If they would not take a reasonable thing when it was offered, he would search out the extremity of the law, and then would not offer them so much again." The lords came willingly into his terms; but the commons rejected the bill: the commons, however, found reason to repent of their victory. The king made good his threats; he called together the judges and ablest lawyers, who argued the question in chancery; and it was decided, that a man could not by law bequeath any part of his lands in prejudice of his rightful heir.

On the 10th of April the parliament was again assembled, when the king caused two oaths to be read to them, viz. that which the bishops took to the pope, and that to the king, on their installation; and as a contradiction might be suspected between them, while the prelate seemed to swear allegiance to two sovereigns, the parliament shewed their intention of abolishing the oath to the pope, when their proceedings were suddenly stopped by the breaking out of the plague at Westminster, which occasioned a prorogation†. After the prorogation, Sir Thomas More the chancellor, perceiving that the measures of the king and parliament led to a breach with the church of Rome, and to an alteration of religion, with which his principles would not permit him to concur, desired leave to resign the great seal; and he left his high station with joy‡.

In the mean time the court of Rome was not without solicitude; and she entertained just apprehensions of losing her authority in England. While the Imperial cardinals intreated Clement to proceed to extremities against the king, his more moderate counsellors repre-

sented to him the indignity of his proceedings; that a great monarch, who had signalized himself both by his pen and his sword in the cause of the pope, should be denied a favour which he demanded on such just grounds, and which had scarcely ever before been refused to any person of his rank and station. Notwithstanding these remonstrances, the queen's appeal was received at Rome; the king was cited to appear; and several consistories were held to examine the validity of their marriage. Henry was determined not to send any proxy to plead his cause before this court: he only dispatched Sir Edward Karne and Dr. Bonner, in quality of excusators, (so they were called,) to carry his apology for not paying that deference to the papal authority. The prerogatives of his crown, he said, must be sacrificed if he allowed appeals from his whole kingdom: and as the question regarded conscience, not power or interest, no proxy could supply his place, or convey that satisfaction which the dictates of his own mind alone could confer. In order to add greater security to his intended defection from Rome, he procured an interview with Francis at Bologne and Calais, on the 11th of October, where he renewed his personal friendship, as well as public alliance with that monarch, and concerted all measures for their mutual defence. He even employed arguments, by which he believed he had persuaded Francis to imitate his example, in withdrawing his obedience from the bishop of Rome, and administering ecclesiastical affairs without having farther recourse to that see. And being now fully determined in his own mind, as well as resolved to stand all consequences, he privately celebrated his marriage on the 14th of November, with Anne Boleyn, whom he had previously created marchioness of Pembroke. Rowland Lee, soon after raised to the bishopric of Coventry, officiated at the marriage. The duke of Norfolk, uncle to the new queen, her father, mother, and brother, together with Dr. Cranmer, were present at the ceremony. Shortly after their marriage Anne became pregnant; and this event gave great satisfaction to the king, and was regarded by the people as a proof of her modesty before she was advanced to the royal dignity.

On the 4th of February, 1533, the parliament was again assembled; and Henry, in conjunction with the great council of the nation, proceeded still in those gradual and secure steps by which they loosened their connections with the see of Rome, and repressed the usurpations of the Roman pontiff. An act was made against all appeals to Rome in causes of matrimony, divorces, wills, and other suits cognizable in ecclesiastical courts. The more to shew his disregard to the pope, Henry finding the new queen's pregnancy to advance, publicly owned his marriage on the 12th of April; and in order to remove all doubts with regard to its lawfulness, he prepared measures for declaring by a formal sentence, the invalidity of his marriage with Catharine: a sentence which ought naturally to have preceded his espousing of Anne Boleyn.

Henry even amidst his scruples, on account of his

\* This was a year's rent of all the bishoprics that fell vacant. The tax was imposed by the court of Rome for granting bulls to the new prelates, and was found to amount to considerable sums. Since the second of Henry VII. no less than one hundred and sixty thousand pounds had been transmitted to Rome on account of this claim; which the parliament reduced to five per cent. on all the episcopal benefices. The better to keep the pope in awe, the king was entrusted with a power of regulating these payments, and of confirming or infringing this act at his pleasure: and it was voted, that any censures which should be passed by the court of Rome on account of that law should be entirely disregarded; and that mass should be said, and the sacraments administered, as if no such censures had been issued.

† It is remarkable that one Tempe ventured this session to move, that the house should address the king to take back the queen, and stop the prosecution of his divorce. This motion made the king send for Audley the speaker; and explain to him the scruples, he said, which had proceeded from no wan-

ton appetite, which had arisen after the fervours of youth were past, and which were confirmed by the concurring sentiments of all learned societies in Europe. Except in Spain and Portugal, he added, it was never heard of that any man had espoused two sisters; but he himself had the misfortune, he believed, to be the first Christian man that had ever married his brother's widow.

‡ The austerity of Sir Thomas More's virtue, and the sanctity of his manners, had no wise encroached on the gentleness of his temper, or even diminished that gaiety to which he was naturally inclined. He sported with all the varieties of fortune into which he was thrown; and neither the pride naturally attending a high station, nor the melancholy incident to poverty and retreat, could ever lay hold of his serene and equal spirit. While his family discovered symptoms of sorrow on laying down the grandeur and magnificence to which they had been accustomed, he drew a subject of mirth from their distresses; and made them ashamed of losing even a moment's cheerfulness on account of such trivial misfortunes.



first marriage, had always treated Catharine with respect and distinction; and he endeavoured to persuade her to depart from her appeal to Rome, and her opposition to his divorce. Finding her obstinate in maintaining the justice of her cause, he had totally forborne all visits and intercourse with her; and had desired her to make choice of any one of his palaces in which she should please to reside. She had fixed her abode for some time at Ampthill, near Dunstable; and it was in this latter town that Cranmer, created archbishop of Canterbury on the death of Warham \*, May 10, was appointed to open his court for examining the validity of her marriage. The near neighbourhood of the place was chosen, in order to deprive her of all plea of ignorance; and as she made no answer to the citation, either by herself or proxy, she was declared "contumacious;" and the primate proceeded to the examination of the cause. The evidences of Arthur's consummation of his marriage were produced afresh; the opinions of the universities were read together, with the judgement pronounced two years before by the convocations of Canterbury and York; and after these preliminary steps Cranmer proceeded to a sentence, and annulled the king's marriage with Catharine as unlawful. By a subsequent sentence he ratified the marriage with Anne Boleyn; who soon after was publicly crowned queen, with all the pomp and dignity suited to that ceremony. To complete the king's satisfaction on the conclusion of this intricate and vexatious affair, she was safely delivered on the 7th of September, of a daughter, who received the name of Elizabeth, and who afterwards swayed the sceptre of the English throne with great renown and felicity. Henry was so much delighted with the birth of this child, that he soon after conferred on her the title of the princess of Wales †. The king's regard for the new queen seemed rather to increase than diminish by his marriage; and in order to efface as much as possible all marks of his first marriage, lord Mountjoy was sent to the unfortunate and divorced queen, to inform her that she was thenceforth to be treated only as princess-dowager of Wales; and all means were employed to make her acquiesce in that determination. But she continued obstinate in maintaining the validity of her marriage; and she would admit no person to her presence who did not approach her with the accustomed ceremonial. Henry forgetting his wonted generosity towards her, employed menaces against such of her servants as complied with her commands in this particular; but all his menaces were not able to make her relinquish her title and pretensions.

Intelligence of these transactions was speedily conveyed to Rome. It put the conclave in a rage, and all the cardinals of the Imperial faction urged the pope to proceed to a definitive sentence, and to dart his spiritual thunders against Henry. But Clement only declared the nullity of Cranmer's sentence, as well as that of Henry's second marriage; threatening him with excommunication, if before the 1st of November ensuing,

he did not replace every thing in the condition in which it formerly stood.

Not long afterwards the pope and Francis had an interview at Marfeilles, when the latter prevailed on the former to promise that Henry would send a proxy to Rome, and thereby submit his cause to the holy see, he should appoint commissioners to meet at Cambray, and form the process; and he should immediately afterwards pronounce the sentence of divorce required of him. Bellay, bishop of Paris, was next dispatched to London, and obtained a promise from the king, that he would submit his cause to the Roman consistory, provided the cardinals of the Imperial faction were excluded from it. The prelate carried this verbal promise to Rome; and the pope agreed, that if the king should sign a written agreement to the same purpose, his demands should be fully complied with. A day was appointed for the return of the messengers; and all Europe regarded this affair, which had threatened a violent rupture between England and the Romish church, as drawing towards an amicable conclusion. But the greatest affairs often depend on the most frivolous incidents. The courtier who carried the king's written promise was detained beyond the day appointed. News was conveyed to Rome that a libel had been published in England against the court of Rome, and a farce acted before the king in derision of the pope and cardinals. Hereupon the pope and cardinals, on the 23d of March, 1534, entered into the consistory enflamed with anger; and by a precipitate sentence the marriage of Henry and Catharine was pronounced valid, and Henry declared to be excommunicated if he refused to adhere to it. Two days after the courier arrived; and Clement, who had been hurried from his usual prudence, found, that though he heartily repented of this hasty measure, it would be a very difficult matter for him to retract it.

We cannot imagine that the pope, had he conducted himself with ever so great moderation, could hope, during the life-time of Henry, to have regained much authority or influence in England. That monarch was of an impetuous and obstinate temper, and having proceeded so far in throwing off the papal yoke, he never could again have been brought tamely to bend his neck to it. Even at the time when he was negotiating a reconciliation with the court of Rome, he had assembled a parliament, and continued to enact laws which were destructive of the papal authority ‡. So that there is reason to believe, that the king, after having procured a favourable sentence from Rome, which would have removed all doubts with regard to his second marriage and the succession, might indeed have lived on terms of civility with the Roman pontiff, but never would have surrendered to him any considerable share of his assumed prerogative. The importance of the laws passed this session, even before intelligence arrived of the violent resolutions taken at Rome, is sufficient to justify this opinion. All payments to the apostolic chamber; all provisions, bulls, and dispensations, were abolished: mo-

\* Bishop Burnet has given us an account of the number of bulls requisite for Cranmer's installation. By one bull, directed to the king, he is upon the royal nomination made archbishop of Canterbury. By a second directed to himself, he is also made archbishop. By a third he is absolved from all censures. A fourth is directed to the suffragans, requiring them to receive and acknowledge him as archbishop. A fifth to the dean and chapter, to the same purpose. A sixth to the clergy of Canterbury. A seventh to all the laity in his see. An eighth to all that held lands of it. By a ninth he was ordered to be consecrated, taking the oath that was in the pontifical. By a tenth the pall was sent him. By an eleventh, the archbishop of York and the bishop of London were required to put it on him. These were so many devices to draw fees to offices, which the popes had erected and disposed of for money. It may be worth observing, that Cranmer, before he took the oath to the pope made a protestation, that he did not intend thereby to restrain himself from any thing that he was bound to, either by his duty to God, the king, or his country; and

that he renounced every thing in it that was contrary to any of these. This was the invention of some casuist, and not very compatible with that strict sincerity, and that scrupulous conscience, of which Cranmer made profession. Collier, vol. 11. in Coll. No. 22. Burnet, vol. 1. p. 128, 129.

† It should be observed that Henry had, during his former marriage, thought proper to honour his daughter Mary with that title; and he was determined to bestow on the offspring of his present marriage the same mark of distinction, as well as to exclude the elder princess from all hopes of the succession.

‡ The people had been prepared by degrees for this great innovation. Each preceding session had retrenched somewhat from the power and profits of the pontiff. Care had been taken, during some years, to teach the nation that a general council was much superior to a pope. But now a bishop preached every Sunday at St. Paul's cross, in order to inculcate the doctrine, that the pope was entitled to no authority at all beyond the bounds of his own diocese. Burnet, vol. 1. p. 144.